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SEPTEMBER—OCTOBER, 1910

# AMERICANA

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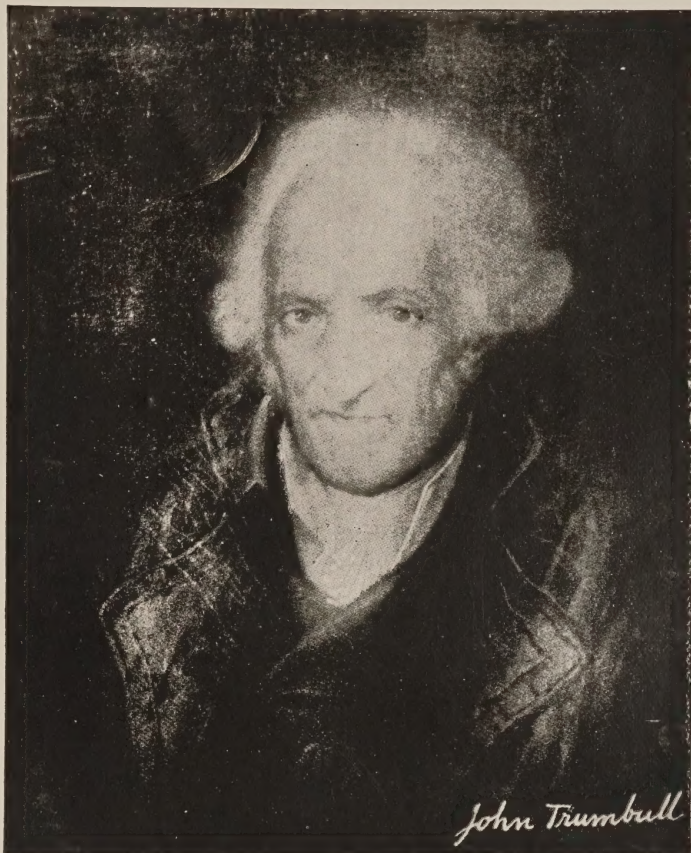
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THE LAST PORTRAIT OF THOMAS PAINE

*From Painting by General John Trumbull*



# AMERICANA

September--October, 1910

THE INDIANS OF NEW JERSEY

BY MAX SCHRABISCH

Author of "Rock Shelters of Indians in New Jersey."

THE historical development of a nation is similar to that of the individuals composing it. The parallelism existing between the two may be clearly traced. Man's earthly career, from the cradle to the grave, is characterized by numberless phases of development, phases which correspond closely to those of the race. Analogous to man, every nation passes through the periods of infancy, adolescence, full maturity and senility or final decadence. Everything in nature constantly undergoes metamorphosis and the process of evolution, resulting in infinite diversification and tending forever to higher and more complex forms, brings about the gradual extinction of what does not, in this onward course, strictly adjust itself to the inexorable laws of the universe. In a world where nothing is constant but change, and where eternal change accompanies all the phenomena of life, the gradual disappearance of peoples may thus be regarded as something entirely natural. History affords us countless illustrations of races which in this grand onward march succumbed to others better adapted to the then existing order of things. Hence the decay of Greece's once splendid civilization and the utter destruction of her political supremacy by her Roman neighbors. Hence, also, later on, the downfall of the Roman empire and the coming to the fore of new political constellations arising on the ruins of the old.



Particularly pathetic is the fate of the North American Indians. Driven out of their hunting-grounds, their remnants, amounting to about one-quarter of a million souls, are now concentrated in a few Western reservations. Incapable of fitting themselves for the new conditions and little prepared to face the contingencies and perplexities of civilized life, so-called, many of them depend for their sustenance upon government assistance. True, their present number is practically as large as it ever was; still, this fact plainly spells degeneration. In other words, the fact that there has not taken place any increase in their numbers during the last three centuries, such as would no doubt have followed under normal conditions, i. e., had they been left undisturbed, cannot mean anything but retrogression. And, to be sure, if a healthy race like theirs remains at best stationary in population, there must have been factors at play inimical to its well-being and ultimately tending to its extermination. Such, indeed, is the case. Wherever the Caucasian race came in contact with more primitive peoples, the doom of the latter was sealed invariably. The children of nature, content with a simple and idyllic mode of living, lead a comparatively happy life as long as they are far removed from the noxious influences of modern civilization. But on acquaintance with the White man they fall an easy prey to his vices, lacking at the same time the faculty of assimilating his good traits. Passions and evil appetites, to which they were formerly strangers, such as gambling and the temptations of alcoholic beverages, take all too readily possession of their minds. Adding to this the radical change of conditions wrought among them, their total degeneration will be accomplished in an amazingly short time.

The redskins of the Atlantic seaboard were, for geographical reasons, among the first to enter into fateful contact with the Europeans. Like many other peoples, of whose misfortunes under similar conditions history gives us a graphic picture, they might have exclaimed: "*Timeo Danaos et dona ferentes.*" As a consequence, their primitive mode of living was disturbed long before the inland tribes had any practical knowledge of the Christian adventurers. The tribes inhabiting the state of New Jersey were the Delawares, a name given them by the Eng-



lish in memory of Lord Delaware. Their own appellation was Lenni Lenape, a term signifying original people, in so far as they considered themselves the most ancient of American aborigines. It would seem, in fact, that their neighbors viewed them as a sort of patriarchal people whose claims to remote descent and priority of occupation were well founded. The Lenni Lenape belonged to the Algonkin group, a federation consisting of more than forty smaller nations. They were divided into three sub-tribes, namely: the Minsi or Wolf tribe in the northern part of the state; the Unami or Tortoise tribe, south of them, and the Unalachtigo or Turkey tribe, living along the southern coast of the state as far down as Northern Virginia. Each of the three main tribes was sub-divided into twelve small gentes under the leadership of chiefs.

As regards the origin of the American aborigines and that of the Lenni Lenape in particular, science has not yet furnished any data which enables us to say whence, when or how the American continent was first peopled. Many chimerical and absurd explanations have been forthcoming to account for their origin, such as the conjecture once widely held that they were the descendants of the Lost Ten tribes of Israel. However, two theories only are worthy of serious attention. The aborigines were either autochthonous, that is to say, evolved right here on this continent, or they have immigrated, be it via Behring Straits or across the Atlantic ocean. The former hypothesis is perfectly compatible with the evolution theory and Dr. Brinton, one of the greatest authorities on this subject, says the following in its support: "Anyone at all intimately conversant with the progress of American archaeology in the last twenty years must see how rapidly has grown the conviction that American culture was home bred, to the manor born; that it was wholly indigenous and had borrowed nothing—nothing from either Europe, Asia or Africa. The peculiarities of native American culture are typical, and extend throughout the continent." If, by the light of these facts, we still cling to the immigration theory, it can be held only by assuming that the Indian invaded America at a period so remote as to preclude all possibility of his having descended from any race recorded in history. All other theories fall to the ground.

Whatever may have been their origin, recent investigations, especially those of Dr. Charles Conrad Abbott, a savant whose archaeological researches in the state of New Jersey are by far the most exhaustive, prove beyond peradventure that North America was inhabited by human beings prior to the advent of the last glacial period, viz., during the pliocene epoch. The researches carried on in the gravel deposits and ice-moraines near Trenton, have brought to light numerous prehistoric implements which undoubtedly date back to an enormously remote antiquity, extending the time of man's appearance on this continent at least a hundred thousand years beyond the limits ascribed to him by the Scriptures. These observations corroborate and supplement those made by archaeologists in the most widely separated parts of the globe. They all show man to have been the contemporary of many animals now extinct such as the mammoth and cave-bear. The objects unearthed in the Trenton gravel are fashioned mostly of argillite. On account of the rough and primitive workmanship they exhibit, these articles are designated as palaeolithic in contradistinction from modern and more artistically wrought stone implements which are known as neolithic, i. e., as belonging to the younger stone age. Touching upon the similarity that exists between savage races generally in respect to the character of their utensils, it may be explained by the parallelism in the development of mankind.

The evidence adduced by science admits of but one inference. It impresses us with the absolute necessity of discarding entirely the obsolete and puerile biblical chronology as utterly at variance with observed facts and of replacing it by the theory now thoroughly established and universally held by the best minds that man's origin reaches far back into the mist of time. We must, moreover, relegate into the realm of fable the idea of man's initial perfection and substitute for it the scientific conception, by virtue of which the presumable masterpiece of creation had an altogether crude and animal-like beginning. Furthermore, it is highly probable that the earliest inhabitants of New Jersey, of whose erstwhile existence in this state the finds above referred to afford unmistakable evidence, belonged to the race of the Esquimaux, and that after the melting of the



ice-sheet which covered North America as far south as the fortieth degree of latitude to a depth averaging two thousand feet, these hyperboreans receded to more northern climes.

On the strength of these considerations the modern Indian succeeded the Esquimau, appearing on the scene after the termination of the glacial period—a rather late arrival. Respecting the descent of the Lenni Lenape, they hailed, according to their traditions, from the interior of the earth. After spending untold aeons in its subterranean cavities, one of them accidentally discovered an opening overhead, through which they made their exit to the earth's surface above. Again, they relate that in the beginning the Great Spirit Ichabod or Manitou swam on the waters, and that later he made the earth of a grain of sand, and man and woman out of a tree. Similar myths obtain with all primitive peoples, showing how naive and simple minds, in obedience to an instinct implanted in every human breast, delight in peopling the unknown with the imagery of their untrained imagination and in accounting however grotesquely for the phenomena of the living universe—phenomena which in the absence of all accurate knowledge are far beyond their range of mental vision.

Passing from the realm of pure legends to that of more or less vague traditions, we find that the Lenape migrated to this state more than a thousand years ago. There is some ground for assuming that they dwelt originally at Labrador. Next they journeyed south and west to the St. Lawrence and Upper New York state, fighting often with the Snake people, and the Talega, agricultural nations, living in fortified towns, in Ohio and Indiana. They drove out the former, but the latter remained on the Upper Ohio and its branches. The Lenape, now settled on the streams of Indiana, wished to remove to the east to join the Mohegans and others of their kin who had moved there directly from Northern New York, until at length they reached the confines of the state of New Jersey.

The accounts given by the early visitors to these shores testify to the peaceable character of the Lenni Lenape. It is but rarely that they went on the war path to avenge an injury inflicted upon them. Unlike the bellicose Iroquois their aim was to en-

tain friendly relations with the white settlers, whose cupidity offered indeed often enough just cause for provocation. Leading an outdoor life and inured to nature in all her varying moods, health was with them the normal condition of life. No wonder, then, that physically, they approached most nearly the ideal of manhood. Well-built and strong, with broad shoulders and small waists, jet black hair tied up in a single scalp lock and perfect teeth, they were well equipped to face the hardships and dangers of the wilderness. "They preserved their skins smooth by anointing them with the oil of fishes, the fat of eagles and the grease of raccoons which they hold in the summer the best antidote to keep their skins from blistering by the scorching sun, and their best armour against the mosquitoes and stopper of the pores of their bodies against the winter's cold." Morally, too, they were in many respects the superior of the White man, being generous and hospitable, to a degree, perhaps little expected among a people whose religious ideas were of a crude and material order. Commenting upon their character, Pastorius remarks: "They cultivate among themselves a most scrupulous honesty, are unwavering in keeping promises, insult no one, are hospitable to strangers, and faithful even to death to their friends." Another writer says: "In former times they were quite truthful, although oaths were not customary among them. But it was not so in later times, *after they had more intercourse with Christians.*"

The number of Indians inhabiting New Jersey at the time of the first white settlements appears to have been quite considerable, probably not exceeding ten thousand souls. Scattered all over the state in little bands without permanent habitations, they roamed from place to place after the manner of nomads, depending chiefly upon fishing and hunting. They were, it is true, acquainted with the art of agriculture in its simplest forms in that they cultivated maize, beans and tobacco. However, they had not yet learned how to improve wild grow-fruit, and apples and pears they ate in their uncultivated state. Maple sugar formed a valuable part of their diet. In making it, a bark vessel was used for collecting and carrying the sap. The primeval forests abounded with trees bearing nuts, and they



did not fail to store up large quantities to gather which was the work of women. And, to be sure, the latter were veritable beasts of burden, for while the men provided the fish and game and fashioned various tools, the squaws cultivated the fields, wove baskets, manufactured pottery, made maple sugar and when moving dragged the tentpoles along, often carrying, at the same time, a papoose on their back.

The first Whites whose acquaintance they made, were the Dutch who, in 1609, had landed on the island of Manhattan. Near the mouth of the Delaware river they came in contact with the Swedes who had here built a fort called Möckeborg because of the numberless mosquitoes infesting this region. It would be contrary to facts to assert that the pioneers dealt fairly with the Indians. They claimed, it is true, to have secured from them, in an honest way, title to every inch of land within the boundaries of the present state of New Jersey and otherwise to have treated them humanely. Yet the purchase price was out of all proportion to the value of the land. In every case the poor Indians got the worst end of the bargain and they might congratulate themselves if in return for the hunting-grounds they received a few woolen blankets, muskets and gunpowder, or some firewater and other worthless trash.

Nor is this all. The prodigious iniquities, which they were made to suffer at the hands of the European adventurers, have left a stain on the early history of this country such as can never be wiped out. The atrocities committed against them by the Dutch throw a most hideous light upon the character of these early colonists. Thus, by order of Kieft, one of the Dutch governors of New Amsterdam, a number of perfectly harmless Indians were precipitated down the palisades. Since outrages of this kind were of ordinary occurrence, we need not be surprised if now and then the savages, tormented beyond endurance, resorted to retaliatory measures such as struck terror to the hearts of their oppressors.

When the Europeans first set foot upon the territory comprised within the state of New Jersey, they found a trackless wilderness, peopled by many wild animals. Along with bears, wolves and catamounts, this vast expanse of primeval forest

sheltered droves of deer, rabbits, opossums and many other creatures, all of which a welcome prey to the arrow of the Red-man. A superabundance of fish filled river and lake and the speckled beauties disported in the brook with joy and content. Pondering the contrast between now and then, many a passionate Nimrod might well exclaim: "*Sic transit gloria mundi.*" And while the endless forests harbored game of wonderful variety, the air above was navigated by countless beves of wild turkeys, partridges and quail.

The huts of the Lenni Lenape were temporary structures which could easily be moved as occasion demanded. In view of their nomadic habits the tent complied with all requirements. Bearing in the West the name of tepee, it was here called wigwam. These tents were set on poles and covered with mats, birch bark or skins. Sometimes young trees would be bent down toward a common centre and the branches interlaced and fastened together and covered with bark, so closely laid on as to be very warm and rain-proof. Though in general the redskins of New Jersey were of a roving disposition, sojourning in single families wherever the conditions seemed favorable, they would occasionally band together in more permanent habitations. Such settlements or villages were situated along the banks of the Passaic river, near the Wagaraw bridge, at Fairfield, Two Bridges, Mountain View, Tom's Point, Pequannock, Pompton Plains and Lower Preakness. But, as a rule, the gregarious instinct was not potent enough to cause them to combine in larger communities. Instead, they would roam the woods in small groups, pitching their tents on the bank of some water course. In the Jersey Highlands they were wont to camp under overhanging rocks. Of these, designated as Rock-shelters, I have discovered nine in the counties of Passaic and Morris, and the relics dug up here by me bear witness to the archaeological significance of those ancient dwellings. A full description of them, as well as of eight aboriginal rock-houses, situated in the counties of Rockland and Orange, New York state, is contained in my monograph which is being published in connection with the Hudson-Fulton Celebration, under the auspices of the American Museum of Natural History.



The weapons and utensils of the Lenni Lenape were almost exclusively wrought out of stone. In rare cases bones were worked, whereas the use of metal remained practically unknown. The minerals most commonly employed in the manufacture of implements were flint, quartz, slate, granite, shale, argillite, hornblende, jasper and soapstone. Flint, in particular, was in great demand, since, owing to its brittleness, it was admirably adapted to the fashioning of arrow-points and spear-heads. Dr. Conrad Abbott's classical work "Primitive Industry" contains a complete list of objects made by the aborigines of New Jersey. The principal ones are arrow-points, spear-heads, fish-points, borers, drills, needles, knives, scrapers, polishing stones, war-clubs, pestles, hand-hammers, hatchets, adzes and tomahawks. The Indian workman acquired great proficiency in fashioning knives and other articles out of flint by dexterous percussion or steady pressure. Holes were bored in the hardest stones by swiftly revolving a pointed stick or bone in the material to be penetrated, perhaps using a bit of cord to aid the revolution, by twisting and untwisting, and sand to increase the trituration. The shafts of the arrow-points were about eighteen inches long and made of the wood of the dogwood tree.

Hatchets and tomahawks consisted of the hardest minerals, such as hornblende and granite, and the perfect shape imparted to these objects is telling proof of the workman's skill in an art which may well nigh be regarded as lost. Supplied with a cutting edge, the result of patient grinding, and one or two grooves to secure the handle, the manufacture of a single hatchet would sometimes necessitate several days' work. In contradistinction from the products of the older stone age, known as palaeolithic, these tools were finely polished and are therefore called neolithic. Bone substance found its principal employment in the making of needles, drills and fish-hooks. It seems, however, that the use of this material was restricted to certain localities such as the Delaware river valley. The so-called pitted hand-hammers served mainly for cracking nuts. Oval in shape and about as large as a clinched fist, they show on two opposite sides a depression or finger pit to enable its

wielder of a firm grip. Wherever the Redman has left considerable traces of his whilom existence, these hammers will not be lacking.

The art of making pottery was introduced among the Jersey Indians at a comparatively late period and had therefore not reached a high degree of perfection. Their pots were made of clay and ground flint, mixed and fashioned by hand and burned in the fire. Some of the potsherds, i. e. fragments of pottery, display crude ornamentation, the most conventional designs being cord-markings, incised lines and dots. Owing to the fragility of these products of primitive ceramic art few of the pots have remained intact. The best specimens, often of huge size, have been discovered in Indian graves.

Up to the middle of the eighteenth century the aborigines were still to be met with in all parts of the state. Long before that time, however, the Whites had begun to purchase, if downright cheating may so be termed, their ancient hunting-grounds, until at length they found themselves disinherited and dispossessed. Reduced to a state of helplessness and exposed to conditions which could not but be repulsive to their innermost instincts, the government recognized the necessity of looking after their interests. Accordingly, about the year 1756, an Indian reservation was established near Burlington. Lingering there until 1806, the remnants of their race were taken to Oneida, in the northern part of New York state.

To infer from the profusion of antiquities, distributed as surface relics all over the state, an erstwhile large Indian population is a mistake all too frequently made by the exoteric public. Reasoning of this sort ignores one important factor. The abundance of prehistoric objects may readily be accounted for, not by assuming a populous race, but rather by the fact that New Jersey had been the home of the savages for at least a thousand years. Hence, notwithstanding their inconsiderable numbers, they have left behind numerous remains of their primitive industry, which were scattered broadcast by reason of their incessant wanderings. These remains indicate plainly enough the localities they once frequented. Through them we may trace their former camping grounds and village-sites, incidentally discovering that they were always situated near some water.



There is one quality above all others which the student of archaeology must endeavor to develop. This property is something akin to instinct inasmuch as its possessor appears to be able to do that which others relying upon their untrained senses, are incapable of performing. It is a characteristic which the archaeologist shares, in a certain sense at least, with the hunter, the trapper, the Indian, and the courier du bois of yore. On the other hand, it is not merely woodcraft, nor is it identical with the faculty of the huntsman to follow the trail of an animal, yet, still, there is one feature common to all these men, namely a highly trained eye coupled with the capacity of utilizing exceedingly slight clews. This quality is indeed susceptible of cultivation and, when developed, it does not appear to fall short of a sixth sense. By means of this highly specialized sense the experienced archaeologist is able to tell almost at a glance, whether or not a certain locality will yield any relics.

Practical archaeology stimulates, willy-nilly, our appreciation of the beauties of Nature, provided there is in us a spark susceptible of such stimulation. Yet perhaps it may be nearer the truth to say that the relation existing between archaeology and Nature is simply reciprocal inasmuch as a passion for either may engender a passion for the other. At any rate, it is true that the pursuit of this science involves much outdoor life. In this wise, viz., through continued communion with Nature we may perchance develop in time that sense of appreciation for her grandeur which appears to have been one of the distinctive features in the ethical make-up of most primitive races. Conversely, it is altogether conceivable that love of Nature, resulting in frequent rambles through woodland and field, may turn out to be a potent agent in awakening a taste for prehistoric research. Lastly, as archaeology, apart from its intellectual import and from bringing us in close touch with Nature, has, moreover, if rightly pursued, a moral side in that it tends to enlarge our sympathies by making us commiserate, as in the case of the Indian, with the fate of a people more sinned against than sinning, it ought to be welcomed as a wholesome occupation beneficial alike to body, mind and soul.

## GEORGE HERIOT, AUTHOR-ARTIST

BY J. C. A. HERIOT

**G**EORGE HERIOT, one of the most prominent of the early American authors and artists, was born at Haddington, Scotland, in 1766. His father was the sheriff clerk for the county of East Lothian and a descendant of the Heriots of Trabroun, an old Scottish family that possessed the lands of Trabroun in East Lothian from 1423 to about 1625. Of this family was the celebrated George Heriot, banker and jeweller to King James I of England, and founder of Heriot's Hospital in Edinburgh, and also Agnes Heriot, mother of George Buchanan, the distinguished Scottish poet, historian and statesman.

Heriot was educated at the Edinburgh High School, and at the University of that city. He began his career as a cadet at Woolwich but subsequently entered the civil service. In October, 1799, he was appointed Deputy Postmaster-General of Canada, a place which he held until 1816. For particulars of his term of office, the student of Canadian History is at present indebted to the late Dr. Kingsford, and according to what he states, Mr. Heriot does not appear in a very favorable light as regards his administration of the office of Deputy Postmaster-General.

"Holding the office as an Imperial appointment, he claimed that he could act only according to the instructions received from the Postmaster-General in London. The Authorities at the Head Office were governed by the principle of having the work performed as cheaply as possible, without regard to the efficiency of the service, or to any Canadian requirement.

"General Sir Gordon Drummond, who was administrator and Commander-in-Chief at this time, intervened to obtain a better



system, and brought the matter to the notice of the Colonial Secretary. Heriot, in defence of his position, explained that his instructions enforced economy, and that he could not increase the expense. Drummond directed the Civil Secretary, Loring, to point out to Heriot that a more frequent transmission of the mail would lead to greater receipts.

“Heriot replied that in 1812 he had pointed out the insufficiency of the service, and the necessity of improvement, but that his suggestions on the matter had received no attention. Drummond continued his efforts to have the service improved, and matters were brought to a crisis, when a request was made by Loring, asking Heriot for definite information about the service between York, Niagara and Amherstburg. Heriot replied that he was governed by Acts of Parliament and written instructions received from the Head Office in London, and he could only report to the lords of that department and receive orders from their Secretary.

“Drummond was so incensed at this reply from the Postmaster that he requested Bathurst to have him removed from office. The date of his last letter on record in the Archives is the 31st of May, 1816.”

Although Dr. Kingsford is severe in his condemnation of Mr. Heriot for his administration of the Canadian Postal Service, the fact must not be overlooked that the system was largely responsible for a great deal of the trouble. As Mr. Heriot himself states, his efforts at improving the service did not receive much consideration. Any steps that he may have wished to take to improve matters, had to be referred to the Authorities in London, who seem to have been most persistent in adhering to a policy that was unworkable, rather than make such modifications as the requirements of a new country demanded.

Mr. Heriot is more favorably known as an author and artist than by his administration of the Canadian Post-Office. During his tenure of office in Canada, he travelled through a great portion of the provinces of Quebec and Ontario, and made himself familiar with the conditions of the Country at that time. In 1807 he published a book of travels through the Canadas, illustrated with reproductions from his own drawings, in which

he describes the condition of the inhabitants, the scenery and the possibilities of the two provinces for the development of agriculture. The book also contains a great deal of valuable information relating to the conditions and habits of the various Indian tribes of North America, which makes the work one of value as a book of reference to those interested in the history of the original inhabitants of this Continent. He seems to have been profoundly impressed with the grandeur of many of the scenes visited during his travels, as may be inferred from his own quaint description of Niagara Falls, which is here quoted as being characteristic of his literary style:

"The Falls of Niagara surpass in sublimity every description which the powers of language can afford of that celebrated scene, the most wonderful and awful which the inhabitable world presents."

He also visited parts of the United States and, after his return to England in 1816, he travelled through portions of Spain, the South of France and Italy. His literary productions include "Travels through the Canadas," published in 1807, of which there are three editions, two published in London, in one of which the plates are colored, and a third published in Philadelphia in 1813 without illustrations; "A History of Canada;" a picturesque tour made in 1817-1820 through the Pyrenees Mountains, Auvergne, the Department of the High and Low Alps, and a part of Spain, and "A descriptive poem" written in the West Indies and published in London in 1781.

All of the above and a large number of his water color sketches are in the British Museum. Of the latter he has left numerous examples, as he seems to have been most prolific in the use of his brush, both in oil and water color. His technique is characteristic of the work of his time, his drawing is good and his work always interesting. His faculty of expressing distance and atmosphere in even the smallest of his sketches, is expressive of a high artistic temperament.

Among the examples of his work reproduced with this article, is one of the Government Buildings at Washington before they were destroyed by the British Army during the war of 1812-1814. The original picture was exhibited at the Centennial Ex-





QUEBEC, FROM THE ST. CHARLES RIVER,  
As it appeared in 1805

*From a Water Color by George Heriot*



THE GOVERNMENT BUILDINGS AT WASHINGTON, D. C.  
Before their destruction in 1814

*From a Water Color by George Heriot*





hibition, held at Philadelphia in 1876 and attracted much attention.

Some of the old families in the Province of Quebec with whom he was on most intimate terms, and various relatives, are in possession of numerous examples of his work, and the two subjects reproduced in connection with this article are from his original sketch books, containing about five hundred sketches made in England and Canada, and are in possession of the present writer.

Heriot died in England in 1844 unmarried. His older brother John, was like himself, a man of literary tastes. Entering the navy as lieutenant of marines in 1778, he saw considerable service on the West coast of Africa, and in the West Indies. He was present and was wounded in Rodney's action with the French fleet under DeGuichen April 16, 1780. At the conclusion of "peace" in 1783 he was placed on half pay. In 1792 he founded the "London Sun" and the "True Briton" in 1793, both of which were started in support of the policy of Wm. Pitt. He edited both of the above papers for several years, besides being the author of several works. In 1809 he was appointed Deputy Pay-Master General of the troops in the Windward and Leeward Islands.

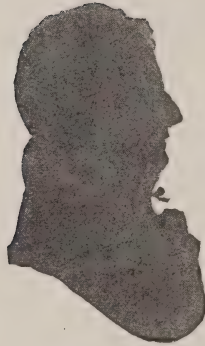
On his return to England in 1816 he was appointed Comptroller of Chelsea Hospital, which post he held until his death in 1833. His younger brother Roger settled in Charleston, South Carolina, and was prominent in the social and professional life of that city for nearly fifty years. His character is fittingly described in Thomas' "Reminiscences of Charleston." His only sister Sophia, married Mr. Melmonth Guy of Kenton Hall, Devonshire, and Grosvenor Square, London.

Her only son, the late Lieut. Gen. Sir Phillip Melmonth Nelson Guy, K. C. B. served with distinction through the Indian Mutiny, and commanded the Third Infantry Brigade at the relief of Lucknow, besides holding several important commands at home and abroad. Robert Heriot, a cousin of George Heriot, who settled in South Carolina in 1759, served under Washington with the rank of Colonel in the War of the Revolution.

Some Canadian writers confound George Heriot with his

cousin Major General, the Hon. Frederick George Heriot, C. B. who served with distinction in Canada through the war of 1812-14 with the rank of Major and later as Lieut. Col. in the Canadian Voltigeurs.

He was for many years a prominent man of affairs in the province of Quebec.





## THE LITTLE WARS OF THE REPUBLIC

BY JOHN R. MEADER /

### PART III.—THE WHISKEY REBELLION

THE question of man's right to use the grain of his own raising for the manufacture of spirits, regardless of Federal legislation and free from Federal tax, has long been the subject of dispute. Even to-day, in some sections of the country, there are illicit stills in full operation, and those who own them excuse their acts by the same arguments that were used by the distillers in Western Pennsylvania in the latter part of the 18th century. Now, as then, men who are in other respects honest and conscientious, insist that they are justified in making such disposition of their own grain as they may see fit, and are willing to go to any extreme to defend the "privilege" of which the Government has elected to deprive them. Even Hamilton himself realized how objectionable the excise had always been, and anticipated that laws that proposed to lay excise duties upon spirits distilled within the United States would meet with some opposition, but it is doubtful if even he imagined that the antagonism to the whiskey tax would anywhere be carried to such an extreme as to amount to open rebellion.

It was at his suggestion that, in 1791, Congress passed the first laws providing for the collection of excise duties from all manufacturers of spirits. According to this act, and the subsequent acts of May, 1792, all spirits of the first proof, if distilled from materials of the growth or product of the United States, were taxed 7 cents a gallon; of the second proof, 8 cents a gallon; third proof, 9 cents a gallon; fourth proof, 11 cents a gallon; fifth proof, 13 cents a gallon, and sixth proof, 18 cents a gallon. It was also stipulated that stills of less capacity than four hun-

dred gallons per annum should pay yearly 54 cents for each gallon capacity, or, if the proprietor preferred, he might pay 7 cents for each gallon distilled, or at the rate of 10 cents per gallon on the capacity of the still for each month that it was operated. (Acts of 2nd Congress, Chap. XXXII, May 8, 1792).

There were many sections of the country in which the new laws were received with anything but approval, but the burden fell most heavily upon the four counties in Western Pennsylvania—Washington, Westmoreland, Alleghany, and Fayette. It was there that the largest crops of grain were raised—crops that were so abundant that it was impossible for the farmers to market them profitably except when distilled into whiskey. Up to this time, no objections had been made to this mode of disposing of the large crops of grain, and spirits had become a standard article of commerce, a gallon of good “Monongahela” whiskey being received as the equivalent of a shilling over the counters of any store in that region. A tax of even 7 cents a gallon upon this product of home industry was, therefore, regarded as the rankest possible extortion, especially in view of the fact that it was upon the distilling of spirits that the people of this community place their greatest dependence.

The first law went into effect on July 1, 1791, and the trouble in Western Pennsylvania began almost simultaneously with the attempt to enforce it. Public meetings of protest were called in nearly all the large towns, at which the acts of Congress were denounced as a menace to personal liberty that must be opposed to the last extremity. On July 27, a meeting of the distillers was held at Red Stone Old Fort (now Brownsville), at which calls were issued for two conventions, one to be held at Washington on August 23, and the other at Pittsburg, on September 2. Both convened and at both the law was not only denounced in unqualified terms, but the people of the community were urged to withhold from the officials selected to enforce the laws “all aid, support, and respect.” Already the motto, “*Liberty and No Excise!*” had been adopted, and with this as the rallying cry, the insurrection steadily increased in volume.

It was on September 1st, just one day preceding the convention at Pittsburg, that the first overt act of protest against what



was termed "coercive authority" occurred. Up to this time, the opposition to the excise had developed only verbal protest and while threats against those who accepted office under the new laws were common enough, there had been no resort to force. On the first day of September, however, a party of men, disguised and armed, waylaid Robert Johnson, the collector for Washington and Alleghany counties, and not only tarred and feathered him, but cut off his hair in a most grotesque fashion and, stealing his horse, left him to make his escape on foot.

In spite of the effort of the men to disguise their identity, Johnson recognized several members of the party, and as soon as he was able to appear before the District Court at Philadelphia, seventeen warrants were issued. To issue the warrants was one thing, however, to serve was quite a different matter. The marshal sent his deputy to Washington county, but he found the feeling against the Government so strong that he concealed the nature of his errand and returned without having effected a single service. How to deliver the processes in person, that attendance at court might be required, was a problem that was not easily solved, but it was finally settled by sending them back by the hands of a poor, half-witted cow driver who was deputized for that purpose, but when it was found that his letters contained writs, he was seized, whipped, tarred and feathered, his horse was taken from him, and, blindfolded, he was tied to a tree in the depths of the forest, and left to his fate. Fortunately, he was discovered in time to save his life.

By this time the minds of the people had become inflamed to such a degree that there were no limits to which they were not prepared to go. Even a weak-minded man named Wilson was not safe from their fury, for when he conceived the idea that he was an excise inspector, and went about pretending to gather evidence, a mob was quickly formed to deal with him. A little common sense should have been sufficient to assure the mob leaders that there was not an atom of truth in his story, but common sense seems to have been the one thing most lacking at this time. Accordingly, he was seized, branded, tarred and feathered, and, when his clothing had been burned, the unfortunate idiot was turned loose in this painful plight to seek unaided

for relief. Moreover, two men who had chanced upon the scene, and who were thus innocent spectators of the outrage upon Wilson, were seized and kept prisoners for some time that there might be no danger of their appearing against the rioters. In fact, no person was exempt from possible suspicion; no person was without danger from the fury of the mob. If it was even hinted that a farmer had given information to the excise officials, his barn was promptly burned. In August, 1792, Captain Faulkner was beaten as well as tarred and feathered for having rented his house to a collector, and, about the same time, a man named Roseberry was accorded the same treatment, merely for having remarked that people should not expect the Government to protect them when they were so strenuous in opposing Federal law.

Uncontrollable as popular feeling had become, however, it was still further increased when it was decided that the State courts had no jurisdiction to try cases for violation of, or resistance to, the excise, but that instead, those arrested must be taken for trial to Philadelphia, a distance of about three hundred and fifty miles.

Such open defiance of the law could not, of course, pass unnoticed on the part of the Federal authorities, for it was soon seen that the fate of the government depended to a great degree upon the enforcement of its statutes. If the administration was unable to make the distillers of Western Pennsylvania obey the law, it could not logically look for obedience to laws that might be somewhat distasteful to people in other sections of the country. To meet this emergency, therefore, President Washington issued a proclamation, condemning the acts of lawlessness, announcing that the laws were to be enforced at all hazards, and warning the people to return to their allegiance to the nation without delay. As further proof as to the temper of the Government, indictments were found against several men who were known to be prominently associated with the mob proceedings, and process was issued against a large number of distillers who had been conspicuous in their defiance of the laws.

Of course, all the distillers in Western Pennsylvania were not guilty, either of the crime of rioting, or even of non-compliance



with the Federal statute. Not a few were secretly friendly to the Government, and if not in full sympathy with the excise, were quite willing to pay the tax imposed, but fear of the vengeance of the people prevented them from expressing such opinions or from committing any act that might stamp them as not in full accord with the reign of terror that had been inaugurated.

Under such conditions, the enforcement of the law became a matter of great difficulty, and when the authorities showed any leniency, in the hope of persuading the distillers that it was to their interests to pay the tax, the factionists announced that the Government was afraid of proceeding against them, and that victory was merely a matter of continued resistance.

However good the intentions of the Government may have been, time soon proved that its method of handling the whiskey problem in Pennsylvania was the worst course that could have been pursued. Its laxity in collecting the tax, the small number of its arrests and convictions, and its failure to protect those who were known to be friendly to the new law—all indicated a weakness that acted materially to the advantage of the opposition. Thus, the acts of violence continued, and threatening circulars signed by "Tom the Tinker"—the title that John Holcroft, one of the mob-leaders, had assumed—appeared with startling regularity, for it was by the publication of these circulars that the factionists were summoned to "mend the still"—the term by which their illegal deeds were known.

Thus, two years went by, with the insurrection still unsuppressed. Early in 1794, a barn belonging to Robert Shawan, a wealthy distiller who was known to have paid his tax, was destroyed by fire, and the same penalty was imposed upon William Richmond, a man who was suspected of having imparted information as to the identity of some of the rioters. In fact, outrages of almost every sort occurred. Houses and other buildings caught fire mysteriously, stills were destroyed, and life was repeatedly threatened. To be known as a law-abiding citizen was to court almost every conceivable danger.

Naturally the insurgents were not without leaders, for there were plenty of men of prominence in the community who, while

not outwardly approving of all the acts of the mobs, were willing to take advantage of the situation to further their own ambitions. If they did not place themselves liable to the law by actually participating in the outrages committed, their intemperate speeches did much to inflame the populace and keep the feeling of discontent at fever heat. Chief among these was David Bradford, an old and wealthy settler, and prosecuting officer of Washington county, and his influence was largely due to the fact that his interest in the "cause" did not stop short of active participation in the outrages of the mob. His associates, Marshall, Findley, Smilie, Husbands, Breckenridge, and Gallatin, were not less ready to talk than he, but he alone was bold enough to aid the mobs in their work of violence.

In June, 1794—the month in which the annual registration of stills was to be made—excise offices were opened in Washington and Westmoreland counties. Locations were found with much difficulty and the arrival of the officers was the signal for more rioting. Again and again the offices were attacked by armed men, and so much determination was shown by the mobs that the Washington office was finally closed. That in Westmoreland remained open, however.

In July, the Marshal from the Philadelphia court, in company with General John Neville, one of the most intrepid inspectors in the Government service, went out to serve fifty processes in the western counties, and no marked opposition was shown until the last writ was about to be served. This process was for a man named Miller, a farmer and distiller who lived about fourteen miles from Pittsburg, on the road to Washington.

It was on the 15th of July that the officers reached the farm, where they were told that they would find their man in a field quite a distance from the house. Upon hearing the writ read, Miller showed little objection to accompanying them, but his men spread the alarm, running through the country crying, "To arms! The Federal sheriff is taking away men to Philadelphia!"

The Mingo Creek Regiment, a select corps of Militia, was recruiting near the scene of the last arrest, and several of the members seized their guns and joined the rioters who, under the leadership of Holcroft, started in pursuit of the Federal offi-



cials, and, at daybreak the next morning, they drew up in front of General Neville's house, and demanded, not only the release of the prisoners, but the body of the Marshal also. General Neville's response was to fire upon the mob, but, while several shots were exchanged, the attacking party realized that it was too small to enforce its demands, and finally retreated to the woods, carrying six wounded men with them, and leaving one dead near the house.

Knowing that the temper of the mob had not been improved by defeat and that, after spending the day in drinking and recruiting, they would undoubtedly return for revenge, General Neville appealed to the judges, the generals of militia and the sheriff of the county for protection, but all replied that they were unable to help him, adding that while the people in that section of the State were too generally opposed to the revenue law to make it possible to enforce the laws in such an emergency, they would assist him in bringing to justice any rioters whom he could identify.

Realizing the impossibility of expecting aid when even the members of the militia were participants in the mob, he sent to Fort Pitt, and succeeded in securing a detachment of eleven men who were placed under the command of Major Abraham Kirkpatrick. At the advice of this officer, General Neville and the Marshall withdrew from the house and made their escape down the Ohio.

As had been anticipated, the mob showed no inclination to accept its temporary defeat tamely, and, by the night of the 16th, more than five hundred insurgents had gathered at Cauche's Fort, a few miles from the Neville home, and on the morning of the 17th, they renewed their attack. Seeing the impossibility of defending the house against such a force, Major Kirkpatrick attempted to capitulate in favor of the property, but when it was ascertained that the general and marshall had gone, and only the soldiers remained, nothing would suit the mob but absolute surrender. To this, the major would not agree, and in a moment the firing commenced. For over an hour the fighting continued. In the meantime, however, the adjacent out-buildings had one by one been fired, until eight were burning vigorously.

A few minutes later, the house caught, and, seeing that it was useless to defend it longer, Kirkpatrick and his little party appeared at the door and surrendered.

On July 23, a convention of farmers and distillers met at Mingo Creek to consider the situation, but, as they dared not approve the action of the insurgents, they succeeded in getting around the question by refraining from discussing it. At the same time, the speeches of the leaders were as intemperate as ever, and David Bradford volunteered to ascertain definitely who the supporters of the Government were.

Two days later, two armed men—one believed to have been Bradford himself—stopped the mail-carrier at Greensburg, while he was on his way from Pittsburg to Philadelphia. The mail bag was carried to Canonsburg, where Bradford, with Colonel John Canon and a Mr. Speer, a storekeeper, proceeded to open the letters. Those that were of a harmless character were sent back to Pittsburg by a messenger, but all that contained sentiments of disapprobation regarding the conduct of the insurgents, or other indications of loyalty to the Government, were held as documentary evidence against the writers.

A call had been issued for a great mass meeting to be held at Parkinson's Ferry on August 14, but as the tame discussion of the situation—the purpose involved—was not sufficiently exciting to meet with Bradford's approval, he issued a call, in the form of an order to the officers of militia, commanding them to meet at Braddock's Field, August 1, with as many volunteers as possible. The call read:

“Here, sir, is an expedition proposed in which you will have an opportunity of displaying your military talents, and of rendering service to your country. Four days provisions will be wanted; let the men be thus supplied.”

From the day that this muster was announced, the most alarming rumors began to be brought to Pittsburg. It was said that the town was to be burned—that the military stores were to be seized and used by the insurgents—that the only hope for the citizens was prompt acquiescence in all the demands of the “Whiskey Boys.”



If the truth had been known, it is probable that the alarm felt in Pittsburg would have been as great, for there is little doubt but that Bradford and his associates had hoped to be able to seize Fort Pitt and the Federal arsenal, and form an independent State to be composed of the counties west of the Alleghany Mountains. That they failed to attempt to carry out this plan was simply owing to the fact that several of the leaders lacked the courage to give the spirit of rebellion so free a rein.

As it was, nearly seven thousand men answered the call to Braddock's Field, and Bradford, assuming the office of major-general, reviewed the troops. The night before the rendezvous, four men rode into Pittsburg on horseback, and introduced themselves as the representatives of the insurgents. As the citizens were then at a mass meeting at which the situation was being discussed, the visitors were invited to state their terms. They, therefore, stipulated that four men (those whose letters had been taken from the post-bag) should be banished immediately, and that, the next morning, every inhabitant in the town should march to Braddock's Field. To these conditions the people assented, and it is believed to be due to this fact, and to the hospitality with which they received and fed the troops, that the town owed its safety.

Realizing that the situation was daily becoming more serious, President Washington invited General Mifflin, then governor of Pennsylvania, to meet the cabinet and decide what action was best suited to the emergency. Like the governor, Washington was opposed to any step that might lead to bloodshed, unless it should later be shown that nothing else would suffice. As the result of this conference, the President issued, on August 7, a proclamation that briefly recited the acts of the insurgents and the steps that had been taken to check them, and concluded with the announcement that if all insurgents had not dispersed and retired to their homes before September 1st, forcible measures would be employed to put an end to the reign of disorder. On the same day a requisition was made upon the governors of Pennsylvania, Maryland, Virginia, and New Jersey, for their quotas of militia to compose an army of 12,950 men, all to be ready to march before September 1.

In the hope that the movement of the military force might be avoided, if possible, a commission of five members was appointed, three by the President (the United States Attorney General, Judge Yates, of the Superior Court, and Senator Ross of Pennsylvania) and two by Governor Mifflin (the Chief Justice of the State and General William Irvine) to treat with the insurgents on the occasion of their great rally at Parkinson's Ferry. The factionists appointed a committee of safety composed of sixty members, and they later chose a special committee of fifteen to confer with the commission. The requirements included "an explicit assurance of submission to the laws, a recommendation to their associates of a like submission, and meetings of citizens to be held to confirm these assurances. All public prosecutions were to be suspended until the following July, when, if there had been no violations of the law in the interval, there should be a general amnesty."

These conditions were deemed most reasonable by the special committee, but Bradford and his associates were not disposed to permit their adoption. Instead, they laughed at the Government's threats; banners bearing the mottos, "Liberty and No Excise!" and "No Asylum for Cowards and Traitors!" were unfurled, and assurance was given the public that the insurgents would marshal an army against which the Federal forces would be powerless.

To induce further rebellion, representatives of the "Whiskey Boys" were sent through the adjacent country—especially into Maryland and Virginia—to raise the red flag of anarchy and to preach the doctrine of resistance to the excise. In the meantime, however, more conservative influences were at work in Pennsylvania. Albert Gallatin, the secretary of the body of insurgents was an accommodationist, and deplored the spirit of treason that Bradford was so eager to foster. Accordingly, he not only favored the adoption of the terms of the commission but urged this action with all his eloquence at every opportunity. The best he could do officially was to secure a vote from the committee of sixty to the effect that they believed that it would be to the advantage of the factionists to accept the commission's



terms if it could be done without either promise or pledge of submission.

As such a half-hearted acceptance of the terms was tacitly a rejection, the President, on September 25, issued a second proclamation in which he announced the movement of the militia under the command of General Henry Lee. This, more than anything that had yet occurred, tended to make converts to the moderate wing of the insurgent party, and, by the time the second convention met at Parkinson's Ferry, on October 2, the radicals, including Bradford, had fled to foreign soil, leaving practically no one to oppose the passage of the resolution of submission.

*(To be Continued.)*

## THOMAS PAINE'S LAST DAYS IN NEW YORK

BY WILLIAM M. VAN DER WEYDE

SECRETARY OF THE THOMAS PAINE NATIONAL HISTORICAL ASSOCIATION

**T**HERE was an element of pathos in the return to America of Thomas Paine in the latter part of 1802.

Paine had left America, once independence had been firmly established here—an independence that he had contributed very largely to bring about through the publication of his remarkable pamphlets “Common Sense” and “The Crisis”—and in France had been hailed as the great liberator, humanity’s best friend.

He was in the very prime of life during his stay in France, a rather handsome man, with a singularly intellectual face, deep-set piercing eyes, and a profusion of rich brown hair.

Several departments in France had vied with each other for the honor of having Paine represent them in the Convention. He elected to go as the Deputy from Calais. At the Convention he made his memorable plea for the life of Louis XVI, whose blood the frenzied revolutionists demanded. Louis had greatly befriended the United States in its revolution against Great Britain and Paine pleaded for the termination of the existing form of government but the sparing of the King’s life. “Kill the King,” he said, “but spare the man.”

The Reign of Terror not only guillotined Louis but also thrust Paine in the Luxembourg prison. By the merest accident Paine escaped the guillotine himself. As it was he came out of prison so ill that only the careful nursing and ministrations of James Monroe and his wife restored him to health. James Monroe, later President of the United States, was then United States Minister to France, and one of Paine’s best friends. So seriously ill was Paine at this period that for a while Monroe despaired of his recovery and several newspapers reported his death.

When Paine was on the road to recovery and gaining strength day by day he took up once more his great work "The Age of Reason," the first part of which he had already published. He labored assiduously upon the second part at Mr. Monroe's home in Paris. The storm of abuse, misrepresentation and vilification that followed the appearance of the first part of "The Age of Reason" was repeated with even greater vehemence when part II was published. To properly understand the situation cognizance must be taken of the fact that one hundred odd years ago what we now recognize as the most elementary religious truths were not accepted. The whole development of religious and scientific thought during the past century has tended to confirm Paine's theological views. Present day Unitarianism occupies much the same position that Paine took and the so-called "higher criticism" of to-day is but an amplification of his religious writings. Theological thought of a century ago was no more nor less than blind acceptance of both old and new testaments in their entirety. Paine was undoubtedly a religious man, a pronounced and avowed Deist, and his "Age of Reason" was, as a matter of fact, written to combat the growing Atheism of France in the latter part of the eighteenth century. But there being "none so blind as those that will not see," the author was charged with Atheism and bitterly attacked therefor, not only in his lifetime but for nearly a hundred years succeeding his death.

Paine was getting well along in years when he left France to return to America. He had been away for fifteen years, years filled with chagrin and disappointment to that brave soul whose every heart beat was in humanity's behalf. He had seen liberty's sun turn to blood in France and was heartsick and homesick when on Sept. 1, 1802, he embarked at Havre for his beloved America. Here he hoped to end his days in peace.

A journey of sixty days brought the great author safely across the seas to his circle of friends in America, among them Jefferson, DeWitt Clinton, Benjamin Rush, Albert Gallatin, John Wesley Jarvis and others. Many of his dearest friends, among them Franklin, Rittenhouse and Muhlenberg, he was pained to learn, had been claimed by death. Some others, either



believing the malicious tales that were circulated by persons interested in defaming the author of "The Age of Reason," or crediting (without reading the book) the report that had industriously been spread that Paine had written "a book of terrible blasphemies," etc., etc., shunned the great man and even aided (perhaps ignorantly) in the further circulation of the baseless reports.

A number of Paine's staunchest friends arranged an elaborate banquet for him at the City Hotel in New York City. There he renewed acquaintance with many old friends, brother patriots in Revolutionary days, and distinguished gentlemen of New York City.

The "National Intelligencer" in warmly welcoming Paine upon his return to this country, said, in the course of its greeting: "Be his religious sentiments what they may, it must be their (the American people's) wish that he may live in the undisturbed possession of our common blessings, and enjoy them the more from his active participation in their attainment."

In Washington Paine was cordially received by Jefferson and his old friend, James Monroe, who was about to start again for France to take up once more the duties of Minister to the United States.

In March, 1803, Paine went with Col. Kirkbride, an old friend, to visit historic Trenton. So furious was the pious mob that there awaited him that, ignoring all Paine had done for American independence, he was hooted and jeered and refused a seat in the Trenton stage-coach.

The jeering mob little remembered that the decisive battle of Trenton had been won by the Americans as a result of Paine's soul-stirring pamphlet, "The Crisis," commencing with the famous words: "These are the times that try men's souls. The summer soldier and the sunshine patriot will, in this crisis, shrink from the service of his country; but he that stands it *now* deserves the love and thanks of man and woman. Tyranny, like hell, is not easily conquered; yet we have this consolation with us, that the harder the conflict, the more glorious the triumph. What we obtain too cheap we esteem too lightly; 'tis dearness only that gives everything its value."



The Old House (still standing) on Bleecker St., New York City, where  
Paine lived in his old age

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Washington had "The Crisis" read to every regiment under his command the night before the Battle of Trenton, and he (as well as a number of the nation's historians) give Paine credit for the great victory that resulted. Yet twenty-seven years after that great battle of 1776 the author of "The Crisis" was jeered in Trenton streets. Such is the gratitude of a people!

Paine determined to go to New Rochelle and take up his residence on the farm of two hundred and seventy-seven acres that had been presented to him by act of the State of New York in recognition of his services during the Revolution. The farm had originally belonged to a Tory named Frederick Devoe, who was the overseer and pound master of the town. Devoe, openly declared a traitor by his patriot townsmen, fled to Nova Scotia, a British possession. The State of New York included in its gift to Paine the old Devoe house, a large stone residence. Paine had planned to make this his abode but the old Devoe house, during Paine's stay in Europe, was burnt to the ground, only fragments of its foundation stones being left on the site.

Paine hardly hoped to have sufficient funds to erect a new house in place of the structure destroyed by fire. But he found himself able before long to do so and he put up in place of the old stone structure the pretty little frame house which is still standing and which has recently been transformed into a museum. In a room probably occupied by the great author as a bed room is to be seen a remarkably life-like wax figure of Paine seated in the very chair that he used to occupy when living. On the walls are scores of framed portraits and other pictures having to do with "the author-hero of the American revolution." Among the relics exhibited is a very interesting fragment of Paine's gravestone. In a handsome old-fashioned book case are exhibited valuable first editions of the author's works, "Common Sense," "The Crisis," "The Rights of Man," "The Age of Reason," and others. The idea of a Paine National Museum originated with the Thomas Paine National Historical Association, which collected the various relics, etc., and in whose charge is vested the museum's management. Hundreds of admirers of Paine attended the opening exercises and dedication of the museum.

In this attractive little house Paine lived during the summer of 1804 and the following winter. During the spring and summer of 1805 he alternated between New Rochelle and New York, devoting himself mainly to writing on matters of public interest.

Paine spent the winter of 1805 in New York surrounded by a circle of very interesting friends who discussed with the old man (now 68) the subjects dear to his heart. Thomas Addis Emmet, (a brother of the great Irish patriot, Robert Emmet), was a member of this interesting group, as was also Robert Fulton, the inventor. Paine as the inventor of the iron bridge, successor to the old wooden bridges, and forerunner of the great steel bridges of today, found in Fulton a congenial mind with whom he could discuss steam navigation, bridges and other plans and inventions. These and kindred subjects they often discussed far into the night.

The following summer found Paine again at his pretty little frame house in New Rochelle, a property of which he was especially fond because he had built it himself. He was in poor health and his means were now small. For several years he had maintained an entire family—that of his good friend Nicholas Bonneville, with whom Paine had lived in Paris. This and other charities, coupled with the fact that Paine accepted no royalties or profits of any kind on any of his works—none of his books were even copyrighted in his name—left him in his old age with little money.

Paine, who had never recovered the health he enjoyed before entering the Luxembourg prison, was now suffering from a number of ailments. He had hoped that a sojourn at his farm would greatly benefit him. He found that it did not.

Perhaps the worst blow the great old patriot suffered, however, was when in the course of the year an election was held in New Rochelle and Paine, offering his ballot at the polls, was refused the right to vote. A vote was denied him on the absurd grounds that he was *not an American citizen*, the reason advanced being that he had forfeited his rights to citizenship in America by reason of his activities in France in liberty's behalf! This was the bitter draught New Rochelle offered to her most

distinguished citizen. It is an undoubted fact that Paine *was* entitled to vote at the New Rochelle election.

The refusal to accept his vote, added to gross and brutal insults which were offered him by some of the residents of the town—to say nothing of an attempt to assassinate the aged author by rifle shots fired as he sat at his study window—resulted in his determination to leave New Rochelle and take up his home in New York. This he did in June, 1807, removing to a house in Bleecker street (then Herring street).

He had become very weak now and feared a total palsy. He had little appetite and almost no strength. Although he suffered greatly he never complained. His mind remained, however, vigorous and active and he was much interested in the politics of the day. He wrote very little—as far as is known nothing besides a brief letter, or address, “To the Federal Faction,” and his will.

Paine's friends shamefully neglected him. The painter John Wesley Jarvis and a few other close friends stopped in to see him once in a great while. Madame Bonneville rather faithfully attended him but he had no other regular visitor save the doctor. When he felt able to do so he sat up in a chair by his window with a table before him on which rested writing materials in case he should wish to place his thoughts on paper.

In the early part of 1809 the great man was rapidly becoming weaker. Madame Bonneville thought that she should be with him now all of the time and hired a little house on the site of what is now 59 Grove street. This dwelling was but a stone's throw from the house on Bleecker street and to it Paine was removed in an arm chair.

A report was circulated that “the infidel Tom Paine” was dying and fanatics of all sorts descended upon the house. Two clergymen gained admittance to his bedroom and accusing the dying man of atheism besought him to repent. Paine merely said “Let me alone. Good morning!” To the end Paine's mind was clear and he maintained his convictions to his last breath.

Reports were spread that the “infidel” had made a deathbed recantation, but it has been definitely proved that all such stories were baseless fabrications. Paine died very peacefully at eight



o'clock on the morning of June 8, 1809. He had expressed a desire that his body be interred in the Quaker burial grounds in New York, because he had many friends among the Quakers and his parents had also been Quakers. The request for permission to carry out these wishes was however denied. As Paine had foreseen the possibility of this refusal he had expressed as a second choice a corner of his farm at New Rochelle. There the body was taken on June 10 and interred.

About ten years later, William Cobbett, the English radical, visited America, dug up at night the bones of the great liberator and made off to England with them. He hoped with the remains to stir up a revolution in England and also planned to erect there a worthy monument, with the remains beneath. Neither of his plans were carried out, however. The remains of the famous author have never been located although great effort has been made to trace them. A small fragment of the brain was found and properly authenticated—that is all. The fragment now rests under the Paine monument, near the old Paine house, in New Rochelle.

## HISTORY OF THE MORMON CHURCH

BY BRIGHAM H. ROBERTS, Assistant Historian of the Church

### CHAPTER XXVIII

DISSENTERS AT FAR WEST—MORMON “DECLARATION OF INDEPENDENCE.”

**J**OSEPH SMITH arrived at Far West on the 14th of March, 1838. He was met “with open arms and warm hearts” by the Saints. “You may be assured,” he wrote to the faithful at Kirtland, “that so friendly a meeting and reception paid us well for our long seven years of servitude, persecution and affliction in the midst of our enemies in the land of Kirtland; yea, verily, our hearts were full, and we feel grateful to Almighty God for his kindness to us.”<sup>1</sup>

It was evident that the Saints would become a political factor in Missouri, and that not only as controlling in Caldwell county, but also as affecting political conditions in the other counties, where they were settling. This made it important that their attitude in respect of politics should be declared. Accordingly, a few days after the arrival of the Prophet at Far West, while walking about the city in company with a number of brethren, he dictated the following as outlining those political sentiments and principles, by which the Saints would be governed:

“The Constitution of our Country formed by the Fathers of Liberty. Peace and good order in society. Love to God, and good will to man. All good and wholesome laws, virtue and truth above all things, and aristarchy, live for ever. But woe to tyrants, mobs, aristocracy, anarchy, and toryism, and all those who invent or seek out unrighteous and vexatious law suits, under the pretext and color of law, or office, either religious or po-

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1. Documentary History of the Church, Vol. III, pp. 10-11.  
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litical. Exalt the standard of Democracy. Down with that of priesthood, and let all the people say amen! that the blood of our fathers may not cry from the ground against us. Sacred is the memory of that blood, which bought for us our liberty.<sup>2</sup>

This has become known in the Church annals as the "political motto" of the Church.<sup>3</sup>

On the 6th of April a general conference was held at Far West at which Thomas B. Marsh was appointed President *pro tempore* of the Church in Missouri, with Brigham Young and David W. Patten as Counselors.<sup>4</sup> The reason for appointing them *pro tempore* was because they were of the general authorities of the Church called to act in a local capacity. John Corryll and Elias Higbee were appointed Church Historians;<sup>5</sup> George W. Robinson General Church Recorder and Clerk to the First Presidency;<sup>6</sup> Ebenezer Robinson Clerk and Recorder for Far West, and Clerk of the High Council of that state. The appointments had become necessary because of the rejection of the local

2. The Brethren, who were present and with the Prophet signed this out-giving were: Joseph Smith, Jr., Thomas B. Marsh, David W. Patten, Brigham Young, Samuel H. Smith, George M. Hinkle, John Corryll, and Geo. W. Robinson.

3. It is so referred to in the communication of the Prophet to the faithful in Kirtland under date of March 29th, 1838. Documentary History of the Church, Vol. III, p. 12.

4. Elders Marsh & Patten had been acting as the Presidency of the Church in Missouri since the deposition of David Whitmer and his counselors, in February. (Documentary History of the Church, Vol. III, p. 6.)

5. On the day that the Church was organized, April 6th, 1830, a commandment was given that a record of events should be kept in the Church which of course implied that there must be a recorder and historian appointed. (Doc. & Cov. Sec. 20). During the first year of the Church's existence Oliver Cowdery had evidently filled both those positions. On the 8th of March, 1831, John Whitmer was appointed "to keep the Church record and history continually;" for "Oliver Cowdery," said the Lord, "I have appointed to another office." (Doc. & Cov. Sec. 47, 3). This office of Historian John Whitmer continued to hold until deposed and succeeded by Elders Corryll and Higbee as related in the text above. President Smith and Rigdon demanded the records and history kept by John Whitmer but he refused to give them up; (Documentary History of the Church, Vol. III, pp. 15, 16) nor could a copy of his history be obtained by the Church until 1893. Said copy in *Ms.* is now on file in the Historians office, at Salt Lake City.

6. George W. Robinson had been appointed to this office by the conference held at Kirtland on the 17th of September, 1837, (Documentary History of the Church, Vol. II, p. 513). So that the action at the Far West conference was confirmatory of his first appointment. It would seem also that Cowdery had acted as Church recorder at Kirtland; since following the notice of Robinson's appointment the announcement is made that he was elected "in place of Oliver Cowdery, who had removed to Missouri." Robinson was a native of Vermont, born in 1814; and was son-in-law to Sidney Rigdon, having married his eldest daughter, Athalia.



Presidency of the Church in Missouri, and the excommunication of the Church Historian, John Whitmer.

A question had arisen in the Church as to the disposition that should be made of the lands still owned in Jackson county by the Church and by individual members. Some held that to sell these lands would be an evidence of a lack of faith in the promises of God with reference to the establishment of the City of Zion in Jackson county. Indeed, in an "Appeal" made to the world in July, 1834, after the disbandment of Zion's camp, and all hope of the immediate return of the Saints to Jackson county was abandoned—in discussing the "old settlers" proposition to "buy or sell" lands, the appeal referred to, said: "To sell our land would amount to a denial of our faith, as that land is the place where the Zion of God shall stand, according to our faith and belief in the revelations of God, and upon which Israel will be gathered, according to the prophets."

This view persisted in the minds of a great number of the brethren.<sup>7</sup> Others again, feeling the pressure of present needs, thought it not amiss to sell those lands, in order to employ the means thus obtained in prosecution of their present enterprises, trusting to the future to develop ways and means for the redemption of Zion.

Among those who held this latter view were the Whitmers, W. W. Phelps, Oliver Cowdery and others. Early in February, 1838, hence before the arrival of the Prophet in Far West—the Presidency of the Church in Missouri, David Whitmer, W. W. Phelps and John Whitmer were arraigned before a "committee of the whole Church in Missouri, in general assembly," charged with selling their lands in Jackson county, and with other offences—David Whitmer for persisting in the use of tea, coffee

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7. The rightfulness of their view is supported by the following instructions given by revelation in December, 1833, when the question of disposing of the Gilbert and Whitney store at Independence was being considered: "And again, I say unto you, it is contrary to my commandment, and my will, that my servant Sidney Gilbert should sell my storehouse, which I have appointed unto my people, into the hands of mine enemies. "Let not that which I have appointed be polluted by mine enemies, by the consent of those who call themselves after my name. "For this a very sore and grievous sin against me, and against my people, in consequence of these things which I have decreed and are soon to befall the nations. "Therefore, it is my will that my people should claim, and hold claim upon that which I have appointed unto them, though they should not be permitted to dwell thereon;" (Doc. & Cov. Sec. 101: 96-99.)

and tobacco, in violation of the Word of Wisdom; John Whitmer and W. W. Phelps for claiming money which really belonged to the Church. The result of the meeting was the rejection of this local presidency by the Saints in Far West, and in all the other settlements of the Saints in Upper Missouri.<sup>8</sup>

Subsequently John Whitmer and W. W. Phelps were charged before the High Council at Far West "for persisting in unchristian like conduct"—presumably still claiming the money which belonged to the Church. The accused brethren refused to appear before the High Council on the ground that the tribunal was illegal, composed of men prejudiced against them, and who had already given an opinion or judgment regarding the matters at issue. This was conveyed to the council by a written communication, signed by them and David Whitmer in their official capacity as "Presidents of the Church of Christ, in Missouri," thus ignoring the action of the Church in "committee of the whole" in rejecting them as a presidency, which was counted as adding to their offences, and the two brethren who had been summoned before the council were excommunicated.

Later, namely, on the 7th of April, a series of charges were preferred against Oliver Cowdery to Bishop Partridge, and subsequently—on the 11th—to the High Council of Far West, by Elder Seymour Brunson:

*Charges against Oliver Cowdery.*

•"First—For persecuting the brethren by urging on vexatious law suits against them, and thus distressing the innocent.

"Second—For seeking to destroy the character of President Joseph Smith, Jun., by falsely insinuating that he was guilty of adultery."<sup>9</sup>

8. The action at Far West took place on the 5th of February; at Carter's Settlement, on the 6th; at Durphy's Settlement on the 7th; at Nahum Curtis' Settlement on the 8th; at Haun's Mills, on the 9th. (Documentary History of the Church, Vol. III, pp. 3-6).

9. The account of the hearing is to be found in the Far West High Council Record, Ms. pp. 123-130. During the hearing it was proven on the testimony of G. W. Harris that when Oliver Cowdery insinuated that the Prophet was guilty of adultery—when confronted by the Prophet and the question was directly put to him if Joseph had ever acknowledged that he was guilty of such a crime, Oliver answered—"No." Minutes of trial, Far West Record, pp. 123-130. Harris' testimony is published in the *Elders Journal* and sustained in the same article by the testimony of Thomas B. Marsh, and George M. Hinkle (*Elders Journal*, July, 1838, p. 45). Notwithstanding these positive denials by Cowdery, however, it was proven on the testimony of David W. Patten that he had made such insinuations.

## GENERAL DAVID R. ATCHISON

The friend of Joseph Smith. "Dismounted" by Governor Boggs before Far West for being too friendly to the Mormon people.

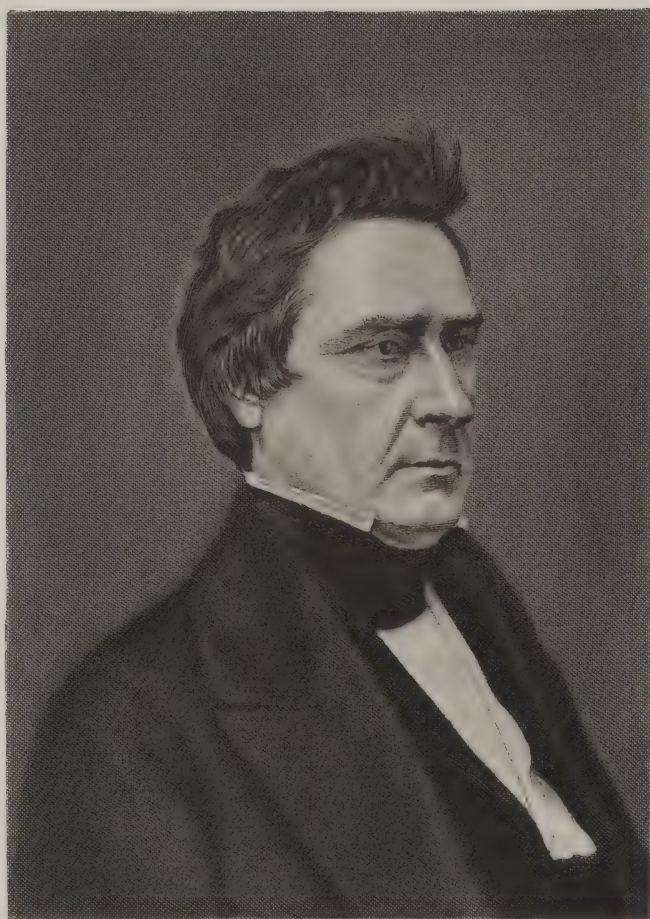
*"I do not feel disposed to disgrace myself, or permit the troops under my command to disgrace the state and themselves by acting the part of a mob. If the Mormons are to be driven from their homes, let it be done without any color of law in open defiance thereof."*

Atchison's Report to Governor Boggs, 22nd October, 1838  
—Documents, etc. Published by order of the Missouri Legislature pp. 46, 47.









DAVID R. ATCHISON

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“Third—For treating the Church with contempt by not attending meetings.

“Fourth—For virtually denying the faith by declaring that he would not be governed by any ecclesiastical authority or revelations whatever, in his temporal affairs.

“Fifth—For selling his lands in Jackson county, contrary to the revelations.

“Sixth—For writing and sending an insulting letter to President Thomas B. Marsh, while the latter was on the High Council, attending to the duties of his office as President of the Council, and by insulting the High Council with the contents of said letter.

“Seventh—For leaving his calling to which God had appointed him by revelation, for the sake of filthy lucre, and turning to the practice of law.

“Eighth—For disgracing the Church by being connected in the bogus business, as common report says.<sup>10</sup>

“Ninth—For dishonestly retaining notes after they had been paid; and finally, for leaving and forsaking the cause of God, and returning to the beggarly elements of the world, and neglecting his high and holy calling, according to his profession.”

Due notice was served upon Oliver Cowdery of these charges by Bishop Partridge, but he declined to attend the council and announced his withdrawal from the Church in the following communication:

*Cowdery's Letter to Bishop Partridge.*

Far West, Missouri, April 12, 1838.

*Dear Sir:*—I received your note of the 9th inst., on the day of its date, containing a copy of nine charges preferred before yourself and Council against me, by Elder Seymour Brunson.

I could have wished that those charges might have been deferred until after my interview with President Smith; but as they are not, I must waive the anticipated pleasure with which I had flattered myself of an understanding on those points which are grounds of different opinions on some Church regulations, and others which personally interest myself.

The fifth charge reads as follows: “For selling his lands in Jackson county contrary to the revelations.” So much of this charge “for selling his lands in Jackson county,” I acknowledge

<sup>10</sup>. These “rumors” connecting Cowdery with “the bogus business” (i. e. dealing in counterfeit money) relate to Kirtland, Ohio, not to Missouri.

to be true, and believe that a large majority of this Church have already spent their judgment on that act, and pronounced it sufficient to warrant a disfellowship; and also that you have concurred in its correctness, consequently, have no good reason for supposing you would give any decision contrary.

Now, sir, the lands in our country are allodial in the strictest construction of that term, and have not the least shadow of feudal tenures attached to them, consequently, they may be disposed of by deeds of conveyance without the consent or even approbation of a superior.

The fourth charge is in the following words, "For virtually denying the faith by declaring that he would not be governed by any ecclesiastical authority nor revelation whatever in his temporal affairs."

With regard to this, I think I am warranted in saying, the judgment is also passed as on the matter of the fifth charge, consequently, I have no disposition to contend with the council; this charge covers simply the doctrine of the fifth, and if I were to be controlled by other than my own judgment, in a compulsory manner, in my temporal interests, of course, could not buy or sell without the consent of some real or supposed authority. Whether that clause contains the precise words, I am not certain—I think however they were these, "I will not be influenced, governed, or controlled, in my temporal interests by any ecclesiastical authority or pretended revelation whatever, contrary to my own judgment." Such being still my opinion shall only remark that the three great principles of English liberty, as laid down in the books, are "the right of personal security, the right of personal liberty, and the right of private property." My venerable ancestor was among the little band, who landed on the rocks of Plymouth in 1620—with him he brought those maxims, and a body of those laws which were the result and experience of many centuries, on the basis of which now stands our great and happy government; and they are so interwoven in my nature, have so long been inculcated into my mind by a liberal and intelligent ancestry that I am wholly unwilling to exchange them for anything less liberal, less benevolent, or less free.

The very principle of which I conceive to be couched in an attempt to set up a kind of petty government, controlled and dictated by ecclesiastical influence, in the midst of this national and state government. You will, no doubt, say this is not correct; but the bare notice of these charges, over which you assume a right to decide, is, in my opinion, a direct attempt to make the secular power subservient to Church direction—to the

correctness of which I cannot in conscience subscribe—I believe that the principle never did fail to produce anarchy and confusion.

This attempt to control me in my temporal interests, I conceive to be a disposition to take from me a portion of my constitutional privileges and inherent right—I only, respectfully, ask leave, therefore, to withdraw from a society assuming they have such right.

So far as relates to the other seven charges, I shall lay them carefully away, and take such a course with regard to them, as I may feel bound by my honor, to answer to my rising posterity.

I beg you, sir, to take no view of the foregoing remarks, other than my belief in the outward government of this Church. I do not charge you, or any other person who differs with me on these points, of not being sincere, but such difference does exist, which I sincerely regret.

With considerations of the highest respect, I am, your obedient servant,

(Signed.) OLIVER COWDERY.

Rev. Edward Partridge, Bishop of the Church of Latter-day Saints.

When the charges came up for hearing before the High Council on the 12th of April, the fourth and fifth charges were rejected by the council, and the 6th was withdrawn. It is against the fourth and fifth charges that Elder Cowdery leveled his whole reply, but as those charges were rejected by the council they constituted no issue at all between Elder Cowdery and the Church. As to the other charges it is to be regretted that Oliver did not attend the hearing before the council and either admit their truth, so far as they might be true, or specifically deny them. Under the circumstance of his refusing to be present the hearing was *ex parte*, and on that necessarily one sided presentation of evidence, the remaining charges were held to be proven, and he was excommunicated.

On the 13th of April a series of charges were preferred to the High Council of Far West against David Whitmer as follows:

“First—For not observing the Word of Wisdom.

“Second—For unchristian-like conduct in neglecting to attend meetings, in uniting with and possessing the same spirit as the dissenters.



“Third—In writing letters to the dissenters in Kirtland unfavorable to the cause, and to the character of Joseph Smith, Jun.

“Fourth—In neglecting the duties of his calling, and separating himself from the Church, while he had a name among us.

“Fifth—For signing himself President of the ‘Church of Christ’ in an insulting letter to the High Council after he had been cut off [rejected] from the Presidency.”

Due notice was served upon David Whitmer of these charges and the hearing before the High Council, but he declined to attend and withdrew from the fellowship of the Church in the following communication: 2

*David Whitmer's Letter to the High Council.*

Far West, Mo., April 13, 1838.

John Murdock:

Sir:—I received a line from you bearing date the 9th inst., requesting me as a High Priest to appear before the High Council and answer to five several charges on this day at 12 o'clock.

“You, sir, with a majority of this Church have decided that certain councils were legal by which it is said I have been deprived of my office as one of the presidents of this Church. I have thought, and still think, they were not agreeable to the revelations of God, which I believe; and by now attending this council, and answering to charges, as a High Priest, would be acknowledging the correctness and legality of those former assumed councils, which I shall not do.”<sup>11</sup>

11. The Presidency of the Church in Missouri—a local presidency—David Whitmer, President, and John Whitmer and W. W. Phelps, counsellors, as will be seen by reference to preceding pages of this chapter, were deposed by a general assembly of the whole Church at Far West and the several other settlements in Upper Missouri; and this was strictly in accordance with the revelation to the Church; for as “No person is to be ordained to any office in this Church, where there is a regularly organized branch of the same, without the vote of that Church” (Doc. & Cov. Sec. 20: 65, also Kirtland Edition—1835—Part II, Sec. 2:16), so also is it to be concluded that no officer in the Church can continue to hold his place when the Church, or that branch thereof over which he presides, or in which he functions, rejects him. David Whitmer, as also John Whitmer and W. W. Phelps and some of their friends took exceptions to the manner in which they were deposed, insisting that they should have been tried before the Bishop of the Church, (Edward Partridge) assisted by a special council of twelve High Priests. In this, however, they misunderstood their own position in the Church, and also the purpose of the special council to which reference is here made. This special council, consisting of the Bishop of the Church and twelve High Priests, was instituted for the trial of a President of the High priesthood of the Church, who is also of the Presidency of the whole Church. (Doc. & Cov. Sec. 107: 91, 92). “And in as much as a President of the High Priesthood shall transgress, he shall

"Believing as I verily do, that you and the leaders of the councils have a determination to pursue your unlawful course at all hazards, and bring others to your standard in violation of the revelations, to spare you any further trouble I hereby withdraw from your fellowship and communion—choosing to seek a place among the meek and humble, where the revelations of heaven will be observed and the rights of men regarded.

(Signed.) "DAVID WHITMER."

"After reading the above letter," say the minutes of the High Council, "it was not considered necessary to investigate the case, as he [David Whitmer] had offered contempt to the council by writing the above letter; but it was decided to let the counselors speak upon the case, and pass decision. The counselors then made a few remarks in which they spoke warmly of the contempt offered in the above letter, therefore thought he [David Whitmer] was not worthy to be a member in the Church." And to this effect was the decision of the Council.<sup>12</sup>

The loss of these two men,—Oliver Cowdery and David Whitmer—two of the Three especial Witnesses to the Book of Mormon—was a misfortune. I have dealt with their excommunication at length because I deem it important, and have published their letters to the Council *in extenso* that attention might be called to the fact that neither of them denies nor casts any doubt upon the facts in which Mormonism had its origin—the coming forth of the Book of Mormon and the ministration of angels to both Joseph Smith and themselves. Had there been fraud associated with these events; or had collusion existed between Joseph Smith and themselves with reference to events in which Mormonism had its inception, it would have been a very natural

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be had in remembrance before the common council of the Church, who shall be assisted by twelve counselors of the High Priesthood; and their decision upon his head shall be an end of controversy concerning him." (Doc. & Cov. Sec. 107; 81, 82). But the Presidency of the Church in Missouri was a local presidency, and hence they could not plead the right to be tried before this special council. Oliver Cowdery, who was one of the Presidents of the High Priesthood of the Church, and of the Presidency of the whole Church, was tried before Bishop Partridge, who used the High Council of Far West for the twelve high priests provided for in the revelation above quoted, to assist him, and in this respect his trial differed from the trial of David Whitmer who was tried before the High Council. See Documentary History of the Church, Vol. III, Chapter II.

12. Documentary History of the Church, Vol. III, pp. 18, 19 and foot notes. Also Far West High Council Record.

thing for men smarting under what they regarded as injustice, to have manifested that fact in these communications. Their silence at this critical time in their experience, and in the experience of the Church, constitutes very strong presumptive evidence of the reality, to them, of these facts which brought "Mormonism" into existence.

On the day of action against David Whitmer, charges were also presented to the High Council against Lyman E. Johnson, one of the Twelve Apostles. His offenses were encouraging litigation among the brethren and bringing distress upon the innocent; being untied with the Kirtland dissenters and advocating their cause; absenting himself from the meetings of the Church; not observing either prayer or the Word of Wisdom; assaulting a brother—Phineas Young, brother of Brigham Young's; discrediting the officers of Caldwell county—the 'Mormon' county; for falsehood and other unrighteous conduct. He declined to appear before the High Council, and by letter withdrew from fellowship of the Church. The council, however, as in the case of Oliver Cowdery, proceeded to hear the case *ex parte*. The charges by that testimony were sustained, and Lyman E. Johnson was dropped from the quorum of the Twelve, and excommunicated from the Church.

These troubles at Far West grew out of the unhappy conditions that had existed in Kirtland for some time. Oliver Cowdery had been in transgression at Kirtland, as publicly announced by the prophet,<sup>13</sup> both he and David Whitmer, while in Kirtland, had been in sympathy with the dissenters, which sympathy continued after their return to Missouri. Besides these leaders there were many others in Upper Missouri who were disaffected, some for one cause and some for another. Many had made sacrifices for the sake of the Church in Kirtland, loaning money to the Presidency for the erection of the temple, and for the establishment of the various industries and mercantile establishments started at that place. Some of these persistently demanded a re-embursement, and because that was impossible on the part of the Presidency, under conditions then existing, they became disaffected, and charged that to dishonesty which

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13. See Ante, ch. XXVI, foot note.



ought to have been assigned to a common misfortune in which the whole Church was involved.<sup>14</sup> Vexatious law-suits were instituted among the Saints, and systematic efforts made, apparently, to undermine and destroy the influence of the Presidency of the Church. Naturally these conditions called for protest on the part of the Presidency, and under date of Sunday, May the 6th, the Prophet writes in his journal—speaking of a discourse he that day delivered:

“I cautioned the Saints against men who came amongst them whining and growling about their money, because they had kept the Saints, and borne some of the burden with others, and thus thinking that others, who are still poorer than themselves, and have borne greater burdens ought to make up their losses. I cautioned the Saints to beware of such, for they were throwing out insinuations here and there, to level a dart at the best interests of the Church, and if possible destroy the character of its Presidency.”<sup>15</sup>

Sometime in June Elder Sidney Rigdon delivered what was afterwards called his “Salt Sermon,” because he took as a text:

“ye are the salt of the earth: but if the salt have lost his savor, wherewith, shall it be salted? It is thenceforth good for nothing, but to be cast out, and to be trodden under foot of men.”<sup>16</sup>

The doctrine of the text the speaker applied to the dissenting brethren and intimated that the “trodden underfoot of men” should be literal, much to the scandalizing of the Church, since the dissenters made capital of it to prejudice the minds of the non-Mormons of the surrounding counties.<sup>17</sup> This, unfortunately, was followed shortly afterwards by a communication drawn up by Elder Rigdon, it is said, and addressed to the leading dissenters, Oliver Cowdery, David Whitmer, John Whitmer, William W. Phelps and Lyman E. Johnson, commanding them to leave Caldwell county within three days, under penalty of a

14. See Corill's "Brief History of the Church of the Latter-day Saints." (1839) p. 30.

15. Documentary History of the Church, Vol. III, p. 27.

16. Matt. V: 13.

17. See Brochure on Sidney Rigdon by Jedediah M. Grant, p. 11. Also Brief History of the Church—Corill—p. 30.

“more fatal calamity” befalling them if they refused to depart. The document was signed by eighty-four men, more or less prominent in the Church,<sup>18</sup> but neither the Prophet’s nor Sidney Rigdon’s name is included among the signatures. This action was undoubtedly a departure from that strict adherence to legal procedure for which the Church must stand or else accept the doctrine of the “old settlers” of Jackson county that there exists with the community, outside of legal procedure, the right to expel undesirable people from that community. These dissenters were undoubtedly a disturbing element; they both instituted and encouraged litigation among the people, which the unsettled state of affairs in a new country, and the brought-over troubles from Kirtland made not only possible but easy. They no doubt were insolent and defiant of local disapproval of their course—which ordinarily is sufficient to correct such evils—because it was easy to appeal to the prejudice and jealousies of the “old settlers” in the surrounding counties, and to menace the Saints with mobs in the event of any attempt to interfere with them—the dissenters. These dissenters, or some of them, were accused of crimes, with stealing, with being associated with counterfeiters and black legs, with violating the postal laws by interfering with the mail. All which, even for the dissenters to be suspected of, was injurious to the reputation of the Saints, and discreditable to the Church of which they had been members. But if these accusations were true, they constituted crimes which lay open to the law, and should have been punished by the law. Those eighty-four citizens of Caldwell county were not justified in taking the law into their own hands and under threats of vengeance driving these dissenters from Far West, for that was the effect of these treats. The dissenters took hasty departure, late one afternoon in June, leaving their families to follow them, which they afterwards did.<sup>19</sup>

The celebration of the 4th of July this year at Far West was made a notable event. That day the corner stones of a temple

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18. The document is published at length in Documents, Correspondence, Orders, etc., in Relation to the Disturbances with the Mormons, Published by Order of the Missouri Legislature, p. 103 *et seq.* Also in part in “The Return,” (Ébenezzer Robinson) pp. 146, 147.

19. *The Return* (Robinson) p. 147.

were laid amid elaborate ceremonies. The excavation made for the building was a hundred and ten feet long, by eighty feet wide. It was to have three floors, the first to be devoted to the purpose of public worship, the other two to educational purposes. It was meant therefore to be both a house of worship and an institution of learning. There was a band of music, a long procession in which both militia and Church authorities took part; also the ladies. But more important than parade or even laying the corner stones of the temple was what was afterwards called the "Mormon Declaration of Independence." The Prophet himself so characterizes it. "The day was spent," he writes, "in celebrating the 'Declaration of Independence of the United States of America,' and also by the Saints making a 'Declaration of Independence' from all mobs and persecutions which have been inflicted upon them, time after time, until they could bear it no longer."<sup>20</sup> Sidney Rigdon was the orator of the day, and the aforesaid "declaration," was embodied in his speech. The speech on the whole is very admirable, and worthy. The key note of it, the motif that recurs here and there, leading to what must be regarded as its unfortunate climax, is the text on which the speech was built—

*"Better, far better to sleep with the dead, than be oppressed among the living."*

The speech expresses admiration for the free institutions of our government, and urges their maintenance; it extols religious freedom, and declares that all "attempts on the part of religious aspirants, to unite Church and state, ought to be repelled with indignation"; it reviews the establishment of the Church of Christ in the New Dispensation, its development, the nature of the religion being unfolded therein, with intelligence as a motive force, to develop which this temple, the corner stones of which were being laid, was to be built; note is taken of what suffering has been endured for the sake of this cause—from foes without and from foes within; for it the Saints have taken the spoiling of their goods; their cheeks have been given to the smiters and their heads to those who plucked off the hair; when smitten on one cheek, they have turned the other, and this repeatedly, until

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20. Documentary History of the Church, Vol. III, p. 41.



they are wearied of being smitten, and tired of being trampled upon; they had proved the world with kindness; they had suffered their abuse—abuse without cause—with patience, without resentment, until this day, and still persecution and violence do not cease:—

“But from this day and this hour we will suffer it no more. We take God and all the holy angels to witness, this day, that we warn all men, in the name of Jesus Christ to come on us no more for ever, for from this hour we will bear it no more; our rights shall no more be trampled on with impunity; the man, or the set of men who attempt it, do it at the expense of their lives. And that mob that comes on us to disturb us, it shall be between us and them a war of extermination; for we will follow them until the last drop of their blood is spilled, or else they will have to exterminate us, for we will carry the seat of war to their own houses and their own families, and one party or the other shall be utterly destroyed. Remember it then, all men. We will never be the aggressors, we will infringe on the rights of no people, but shall stand for our own until death. We claim our own rights and are willing that all others shall enjoy theirs. No man shall be at liberty to come into our streets, to threaten us with mobs, for if he does he shall atone for it before he leaves the place, neither shall he be at liberty to villify and slander any of us, for suffer it we will not, in this place. We therefore take all men to record this day, that we proclaim our liberty this day, as did our fathers, and we pledge this day to one another our fortunes, our lives, and our sacred honors, to be delivered from the persecutions, which we have had to endure for the last nine years or nearly that time. Neither will we indulge any man, or set of men, in instituting vexatious law suits against us, to cheat us out of our rights; if they attempt it we say woe be unto them. We this day, then, proclaim ourselves free with a purpose and determination that never can be broken, *no, never! No, never! No, never!*”

This declaration was followed by the multitude present uniting in the shout of “Hosannah, hosannah, hosannah! Amen, Amen, Amen!” Thrice repeated.

Under all the circumstances, remembrance of past wrongs endured in Jackson county, and then to be threatened with mob violence by dissenters and some “old settlers,” and to see movements on foot to arm again the red hand of a relentless persecu-

tion—it is not to be wondered at that these mortal men, though aspiring to be Saints, should make such a declaration of independence from mob rule, and threaten vengeance upon those who should again assail them. Moreover, it must be remembered that the Saints in their difficulties in Jackson county were much embarrassed in their defense of their homes and families by a divided opinion among them as to how far they might justly proceed in resisting the assaults of their enemies;<sup>21</sup> and in the presence of the likelihood of a recurrence of mob violence, it certainly was desirable to have that question definitely settled. And what ever of error may be thought to have been made by issuing this declaration, it should be remembered that it remained merely a declaration—an outburst of indignation when laboring under a sense of outraged justice. It was never translated into deeds: no war of extermination was attempted, though the contingency upon which such threat was made arose again and again within the experience of the Saints during the next few months.

The historian more than three score and ten years after these occurrences, and in the calm of his study where he dispassionately weighs the deeds of men and passes judgment upon historical events, may find it easy to say that the out giving of this “declaration of independence from mobs” by the Saints, and proclaiming a war of extermination in the event of their being again assailed, was of doubtful propriety, even under all the existing provocations—unwise; impolitic; but it was a very human-like thing to do, albeit more likely to bring about than avert a conflict with the Missourians. Subsequent events proved this to be the effect of it; and certainly the speedy expulsion of the entire body of the Church from Missouri, under such circumstances of cruelty and suffering, affords no ground for belief that there was any divine vindication of the attitude assumed by the Saints on that fourth of July day.

One other thing the candor and truth of history requires here, *viz.* the fixing of responsibility for this “Declaration.” The unwisdom of the utterance has been quite generally recognized by our writers, and by them responsibility for it has been placed

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21. See Ante Chapter XXIV.

upon the rather fervid imagination of Sidney Rigdon, who delivered the speech,<sup>22</sup> and who quite generally is supposed to have been mainly or wholly responsible for it. This is not true. The speech was carefully prepared, written before delivery in fact, and doubtless read by other presiding Elders of the Church.<sup>23</sup> It immediately appeared in *The Far West*, a weekly newspaper published at Liberty, Clay county; and was also published in pamphlet form by Ebenezer Robinson on the press of the *Elder's Journal*. Joseph Smith in his journal speaks of it approvingly;<sup>24</sup> and in the *Elder's Journal*, of which he was the editor, and in the editorial columns under his name, the speech is approvingly recommended to the Saints.<sup>25</sup> In view of these facts, if the "declaration" was of doubtful propriety, and unwise and impolitic, responsibility for it rests not alone on Sidney Rigdon, but upon the authorities of the Church who approved it, and the people who accepted it by their acclamation.

Other events worthy of note occurring about this time were the restoration of Frederick G. Williams to the Church, the establishment of the law of Tithing, filling the vacancies in the quorum of the Twelve, and appointing the quorum as a body to go to England in the following spring, to preach the gospel and bear record of the Christ in that land.

Elder Williams had been rejected as a Counsellor in the First Presidency at a conference in Missouri held on the 7th of November, 1837, and Hyrum Smith, brother of the Prophet, had been chosen in his place. He now sought restoration to complete fellowship with the Saints, and accordingly was rebaptized, ordained an Elder, and commanded to go from place to place and preach the Gospel. A like opportunity was given to W. W. Phelps, but he did not at that time avail himself of it.<sup>26</sup>

The law of Tithing was given by revelation on the eighth of

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22. See Brochure by Jedidiah M. Grant, *Sidney Rigdon*, Part II, p. 11. *Missouri Persecutions* ch. XXII. (This author is in error in saying that the Prophet afterwards corrected the speech as delivered by Rigdon). *Historical Record* p. 693. *One Hundred Years of Mormonism*, pp. 224, 225.

23. Testimony of Ebenezer Robinson, *The Return* (1889), pp. 170-171.

24. Documentary History of the Church, Vol. III, pp. 41, 42.

25. *Elders Journal*, August, 1838, p. 54.

26. Documentary History of the Church, Vol. III, pp. 46—foot note, and p. 55. A portrait of Frederick G. Williams is published in this chapter, and a biographical note will be found in *Americana* for March, 1910, p. 268.



July in answer to the question: "O, Lord, show unto they Servants how much thou requirest of the properties of the people for a tithing." The answer was, "All their surplus property to be put into the hands of the bishop of my Church of Zion [Missouri]; for the building of mine house, [the Temple at Far West], and for the laying of the foundation of Zion, and for the Priesthood, and for the debts of the Presidency of my Church."

This was to be the beginning of the tithing of the people. After that, those who had thus been tithed, were required to pay one-tenth of all their interests annually; "and this shall be a standing law unto them for ever, for my holy Priesthood, saith the Lord." The law was applicable also to all who should there after gather to the land of Zion. "And I say unto you," continues the revelation, "if my people observe not this law, to keep it holy, and by this law sanctify the land of Zion unto me, that my statutes and my judgments may be kept thereon, that it may be most holy, behold, verily I say unto you, it shall not be a land of Zion unto you. And this shall be an example unto all the stakes of Zion. Even so. Amen."<sup>27</sup>

Ten days later, by another revelation, the custodianship and disposition of the Church revenues to arise from this law were lodged in a council composed of the First Presidency of the Church, the Bishop of the Church and his council [i. e. the presiding Bishopric] and by my High Council [doubtless the traveling High Council, the Twelve Apostles], and by mine own voice unto them, saith the Lord."<sup>28</sup>

Thus the revenue law of the Church was established. It is but a modification of the law of consecration and stewardship, first given to the Church.<sup>29</sup> In the first law consecration was to be made of all that was possessed, with subsequent consecrations from time to time of the surplus arising from the management of the stewardship received after consecration, or that resulted from the member's industry in gainful pursuits. In the law now given there was to be first, a consecration of the surplus pos-

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27. Doctrine & Covenants, Sec. 119.

28. Doc. & Cov., Sec. 120.

29. *Ante* this Article, Americana March, 1910, pp. 282-4. Also New Witness for God, Vol. I, ch. XXVI.

essed<sup>30</sup>—not all; and afterwards a payment of one-tenth of a member's interests annually, instead of a consecration from time to time of all the surplus arising from his business or industry.

The men chosen to fill the vacancies in the quorum of the Twelve, vacancies occasioned by the falling away of John Boyington, Luke S. Johnson, Lyman E. Johnson, and Wm. E. McLellin, were John Taylor, John E. Page, Wilford Woodruff and Willard Richards. "And next spring," said the revelation, making these appointments, "let them"—referring to the whole quorum—"let them depart to go over the great waters, and there promulgated my Gospel, the fullness thereof, and bear record of my name. Let them take leave of my Saints in the city of Far West on the 26th day of April next, on the building spot of my house, saith the Lord."

In view of the events which intervened between the time of this revelation was received and the time set for the Twelve's departure for England, the boast of the mob that here was one of "Joe Smith's revelations at least that should fail of fulfillment;" and the equally great determination on the part of the Twelve that it should not fail, makes the revelation of special interest, but the account of its fulfillment belongs to a future chapter.

## CHAPTER XXIX

### ARMED HOSTILITIES IN CALDWELL AND SURROUNDING COUNTIES— "DISMOUNTING" OF GEN. DAVIS R. ATCHISON

Active hostilities between the Saints and the Missourians, which ultimately resulted in the expulsion of the former from Missouri, broke out at an election held at Gallatin in Daviess county on the 6th of August. W. P. Peniston, candidate for representative to the state legislature from Daviess county, had been for some time bitterly opposed to the Saints. He was active in the agitation which caused their removal from Clay county, and fearing that they would not support him in the election,

30. The part of the law requiring a consecration of the surplus as the beginning of the tithing of the members, has been quite generally neglected by the Church.

planned to prevent them from voting at all in Daviess county. This plan was made known to the brethren some two weeks before election by Judge Morin, who lived at Millport, near Gallatin. He advised the brethren to go to the polls prepared for an attack, to stand their ground, and maintain their rights. No heed was paid to the warning of the Judge, however, and the Mormons went to the polls unarmed. Peniston was at the polls and harangued the voters against the Mormons. He accused the leaders with being rascals, and the rank and file he denounced as dupes, and thieves. He declared that if the Mormons were allowed to vote the "old settlers" would soon lose their suffrage. In the midst of this abuse a local bully assaulted Samuel Brown, one of the brethren. It is admitted by Missouri's historical writers that the "old settlers" undertook to prevent the Mormons from voting; that they "began the row;" that the blow which began the hostilities was "uncalled for."<sup>1</sup>

Following the assault upon Brown the fight soon became general and a number on both sides were bruised and otherwise injured, though none were killed on either side. The "old settlers" were the first to withdraw to arouse their sympathizers and to arm themselves. Meantime the Mormons had become determined to maintain their rights and a renewal of the conflict seemed inevitable. Under these circumstances the county authorities in charge of the election came to the brethren and pleaded with them to withdraw, saying that the riot was a premeditated thing to prevent the Mormons from voting. The brethren being unarmed withdrew to their farms, collected their families, concealed them in the hazel thickets and stood guard over them through the night.

The following day an exaggerated report of this Gallatin affair reached Far West, such as that several of the brethren had been killed and the mob refused to allow them to be buried, and

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1. Following the admission the historian continues: "A man by the name of Richard Weldon commenced to abuse a Mormon preacher and finally knocked him down. The blow was uncalled for, but it seems there were a few rough characters in favor of a fight and they got it." (*History of Daviess county*, Birdsell & Dean, Kansas City, Publishers (1882), p. 203. Again, "At the August election, 1838, a riot occurred at Gallatin between the Mormons and Gentiles. The latter would not allow the Mormons to vote, and it is admitted were the aggressors." (*History of Caldwell and Livingston counties*, National Historical Company Publishers (1886), p. 126.



were determined to drive all the Mormons from Daviess county. These reports occasioned great excitement in Far West; and as soon as men could get ready they rode off in small squads to learn the extent of the outbreak against their brethren. Joseph Smith went with one of these companies, but the general command of the expedition was given to G. W. Robinson. How many left Far West on this errand is not known. They have been variously estimated from one to two hundred.<sup>2</sup> They rendezvoused at "Di-Ahman" at the residence of Lyman Wight, and here met with some who had been at the disturbance at Gallatin, from whom they learned the truth, concerning the riot of the previous day. The next day was spent by Joseph Smith and others of the company from Far West in visiting "old settlers" in the vicinity of "Di-Ahman" to learn their dispositions towards their Mormon neighbors. Among others called upon was one Adam Black, a justice of the peace, and now Judge-elect for Daviess county. Under these circumstances it was especially desirable to know this man's intentions, particularly as rumor had connected him with the mob element. He declared his intention to administer the law fairly, and consented to give a statement in writing to this effect, and also denying any connection with the mob. As the document is unique both in autography and composition it is given in full as prepared and signed by the judge-elect:

"I, Adam Black, a justice of the Peace of Daviess county do hereby Sertify to the people, coled Mormin, that he is bound to support the Constitution of this State and of the United States and he is not attached to any mob, nor will he attach himself to any such people, and so long as they will not molest me, I will not molest them. This the 8th day of August, 1838.

ADAM BLACK, J. P.

The same day a meeting was arranged for the 9th between some of the citizens of Millport, adjacent to Gallatin, and the leaders of the company from Far West. Among the former who met with the brethren from Far West were Joseph Morin, state

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2. The History of Daviess county, Birdsall & Dean Co., (1882) give the number two hundred, p. 204; Linn one hundred and fifty, and assigns the command to "Dr. Avard" ("Story of the Mormons," p. 198).

senator elect; John Williams, representative elect; James B. Turner, clerk of the circuit court and others. The substance of the agreement entered into by these parties, as stated by Joseph Smith, is as follows:

“At this meeting both parties entered into a covenant of peace to preserve each other’s rights, and stand in each other’s defense; that if men did wrong, neither party would uphold them or endeavor to screen them from justice, but deliver up all offenders to be dealt with according to law and justice.”

On the 10th of August, however, W. P. Peniston, Wm. Bowman, Wilson McKenny and John Netherton appeared before Judge Austin A. King, of the fifth judicial circuit and made affidavit that they had good reason to believe, and did believe that there was collected in Daviess county a body of five hundred armed men whose movements were of a highly insurrectionary and unlawful character, that about one hundred and twenty of aforesaid insurrectionaries had committed violence against Adam Black by surrounding his house, and taking him in a violent manner and subjecting him to great indignities, by forcing him under threats of immediate death to sign a paper writing of a very disgraceful character, and by threatening to do the same to all the “old settlers” and citizens of Daviess county; that said armed body had threatened to put to instant death Wm. P. Peniston, one of the affiants, and he verily believed they would do it without they should be prevented; like threats were made against Wm. Bowman, another of the affiants. Joseph Smith, Jun., and Lyman Wight were declared to be the leaders of this body of armed men whose object it is “to take vengeance for some injuries, or imaginary injuries, done to some of their friends, and to drive from the county all the old citizens, and possess themselves of their lands, or to force such as do not leave, to come into their measures and submit to their dictation.”<sup>3</sup>

In the latter part of the month of August, Adam Black confirmed in an affidavit much of what was sworn to by Peniston,

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3. The document *in extenso* is published in Documentary History of the Church, Vol. III, p. 61.

especially that he had been threatened "with instant death" if he did not sign a writing binding himself as a justice of the peace "not to molest the people called Mormons."<sup>4</sup>

On the affidavit of Peniston *et al* warrants were issued against Joseph Smith and Lyman Wight for being engaged in this alleged insurrectionary movement. It was reported that they would not submit to service of the warrants, nor to the law, and much was made of this report in the surrounding counties. When the sheriff of Daviess county notified Joseph Smith that he had a writ to take him to Daviess county and reference was made to these reports, the Prophet informed the sheriff that he intended always to submit to the laws of the country but he wished to be tried in his own county, as the citizens of Daviess county were highly exasperated at him, and that the laws of the country granted him this privilege. Hearing this the sheriff declined serving the warrant until he could consult with Judge King, at Richmond, in Ray county. The Prophet agreed to remain at home until his return. On returning the sheriff stated that he had no jurisdiction in Caldwell county and retired.

This action on the part of the Prophet was construed and reported to be resistance to an officer of the law, and used to further inflame the country. Finally, acting under the counsel of his legal advisers, *Messrs.* David R. Atchison and A. W. Doniphan, Joseph Smith and Lyman Wight volunteered to be tried by Judge King in Daviess county, and much to their surprise they were bound over in five hundred dollar bonds to appear before the circuit court for trial.

Meantime all manner of exaggerated reports of these matters were circulated throughout all the counties of Upper Missouri, mingled with down right misrepresentations as to the intentions and alleged warlike preparations of the Mormons to drive the "old settlers" from their homes; and doubtless the rumors of mob preparations in surrounding counties—such as that men were collecting from "eleven counties" to take into custody Joseph Smith and Lyman Wight for their part in the expedition

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<sup>4</sup>. Complete affidavit in Documentary History of the Church, Vol. III, pp. 64, 65.



into Daviess county<sup>5</sup>—were equally exaggerated and untrue. But it was true that great excitement had been created against the Saints throughout the counties of Upper Missouri, that amounted to an “uproar.” And because of these misrepresentations the Mormons were both feared and hated, save perhaps in Clay county, where they were best known and had a few staunch friends among some of the strongest men in Western Missouri. “Ray county Gentiles,” says one historian, after noting the absence of ill-feeling in Clay county—“Ray county Gentiles hated them; Carroll county Gentiles detested them; and Davies county Gentiles vowed hostilities against them.”<sup>6</sup>

No attempt is made in this general history to detail all the movements of mob and militia forces and the counter movements on the Mormon side; only those actions necessary to a true understanding, of the outcome are detailed.

Following the Adam Black affair various representations were made to Governor Boggs from citizens and some officers of Chariton, Carroll, Daviess and Livingston counties, representing, in the main, that the Mormons were in insurrection, refused to submit to law, had formed alliances with the Indians on the western frontier, and were preparing to make war upon the Missourians in the fall. And thence from time to time, as the conflict developed, petitions, affidavits, appeals and official reports flooded the chief executive of the state, generally to the disparagement of the Saints, for seldom could the latter reach the Governor’s ear. Indeed in all the collection of affidavits, appeals and petitions published under the authority of the Missouri legislature, there is but one brief petition from “Certain Mormons to the Governor.” The petition was signed by fifty of the Saints at DeWitt, and recites the threats made against them by the mob, and appeals for executive protection.<sup>7</sup>

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5. “They (the old settlers) are collecting from every part of the country, to Daviess county. Report says that they are collecting from eleven counties, to help take two men who had never resisted the law or officer, nor had they thought of doing so, and this their enemies knew at the same time, or many of them at least knew it. This looks a little too much like mobocracy, it foretells some evil intentions. The whole of Upper Missouri is in an uproar and confusion.” (Joseph Smith, *Documentary History of the Church*, Vol. III, p. 69).

6. *History of Caldwell and Livingston counties*, National Historical Company, St. Louis (1886) p. 124.

7. Documents Published by order of the General Assembly of Missouri, pp. 29-30.

The first official act of a series which resulted in bringing against the people of Far West a body of more than 6,000 state troops, and expelling over twelve thousand people, men, women and children from the state, under threats of extermination—was an order of the executive through B. M. Lisle, Adjutant General of the militia, to Gen. David R. Atchison and six other Major Generals, to raise within their respective districts and hold in readiness for further orders, four hundred mounted men, armed and equipped as infantry or riflemen and formed into companies under officers already in commission. This made ready a body of soldiery 2,800 strong.

“Indications of Indian disturbances on Missouri’s immediate frontier, and the recent civil disturbances in the counties of Caldwell, Daviess and Carroll,” are said to render the order necessary as a precautionary measure.<sup>8</sup> This order is dated the 30th of August.

The whole country was in a state of great excitement and squads of armed men were moving about making threats against the Saints. The latter were at great disadvantage by reason of being widely scattered over a very large area of country; in this thing having neglected to follow the advise of the Prophet to form compact settlements and live in them where now, among other advantages of such a policy, already considered,<sup>9</sup> they would have had better opportunities for self-defense.<sup>10</sup>

The brethren from Far West, were active in going from point

8. Documents Published by Order of the General Assembly of Missouri, p. 20.

9. Ante, chapter XXII.

10. Throughout the summer of 1838, the Prophet sought to rectify this error by inducing all the people he could influence to form settlements, “as the law of the law required.” (See Documentary History of the Church, Vol. III, pp. 55, 62, 66, 67, 68.) As an adjunct to this system of colonization the Prophet organized his people into large Agricultural companies, designed to carry on their agriculture pursuits by co-operative methods. The largeness of his plans will appear in the following from his journal:

“August 20—The inhabitants of the different parts of the county met to organize themselves into Agricultural Companies. I was present and took part in their deliberations. One company was formed, called the “Western Agricultural Company,” which voted to enclose *one field for grain containing twelve sections, seven thousand six hundred and eighty acres of land*. Another company was also organized, called the “Eastern Agricultural Company,” the extent of the field not decided.

Tuesday 21—Another company was formed, called the “Southern Agricultural Company,” the field to be as large as the first mentioned.” (Documentary History of the Church, Vol. III, pp. 63, 64.)

to point, under the direction of the civil authorities of Caldwell county, where ever there was a threatened attack upon their people. Hearing that a wagon load of arms and ammunition was en route from Richmond to the mob infesting the vicinity of Diahman, Captain Wm. Allred took a company of ten mounted men and started to intercept the transport. They found the wagon broken down, and the boxes of guns concealed near the roadside in the tall grass; but no one was in sight. Shortly after this party had discovered the arms, they saw moving over the prairie, from the direction of the mob's camp, two horsemen and behind them a third man driving a team. These parties came up to the broken down wagon and were arrested by Captain Allred, by virtue of a writ he held for them issued by the civil authorities of Caldwell county. The prisoners and the guns were taken to Far West, and after an examination before Albert Petty, justice of the peace, they were held to bail for their appearance at the next term of the circuit court. The names of these parties were, J. B. Comer, held as principle, and Wm. L. McHoney and Allen Miller as being in the employ of Comer, engaged in furnishing a mob with arms for an illegal purpose.

Judge King was immediately informed of the arrest of these men, and his advice was asked as to what disposal should be made of the prisoners. He replied that the prisoners must be turned loose and treated kindly. He had no advice to give about the guns, and was at a loss to know how to account for them being in the possession of Comer, as they belonged to government, and had been in the custody of Captain Pollard, living in the vicinity of Richmond. The guns were distributed among the brethren to be used in self-defense. A few days afterwards the prisoners were delivered up to Gen. A. W. Doniphan; and forty-two stands of the firearms were also collected and delivered to him.

The mob took a number of the brethren prisoners, and sent word to Far West and other settlements that they were torturing them in the most inhuman manner, by this means, doubtless, seeking to provoke retaliation.

Meantime the militia Governor Boggs had ordered to be held in readiness, was mustered into service. Under the direction of



Gen. Doniphan six companies of fifty men each were collected and armed from the militia of Clay county, and at once marched into the vicinity of Diahman. Here Doniphan found the citizens of Daviess and surrounding counties to the number of two or three hundred under arms, and commanded by Dr. Austin, from Carroll county. They claimed to have collected solely for the purpose of defending the people of Daviess county against the "Mormons." Doniphan read to them the order of his superior officer, General Atchison, to disperse, but this they refused to do.

"I had an interview" said Doniphan, "with Dr. Austin, and his professions were all pacific. But they [Austin's men] still continued under arms, marching and counter marching." The general also visited the encampment of the brethren under the command of Colonel Lyman Wight. Doniphan's report says: "We held a conference with him, and he professed entire willingness to disband, and surrender up to me every one of the 'Mormons' accused of crime; and required in return that the hostile forces collected by the other citizens of the county, should also disband."<sup>11</sup> As the mob refused to obey the order to disband, the safety of the brethren and their families required that men under Wight should continue under arms. General Doniphan took up a position between the two opposing forces, hoping that if the parties were kept apart, in a few days they would disband without coercion.

In the course of two or three days General Atchison arrived with a body of militia from Ray county. He at once ordered the citizens from the surrounding counties to repair to their respective homes, a movement they began to make with many signs of reluctance. Only about one hundred of them obeyed the order. Atchison reported to Governor Boggs, that he had received assurance from the "Mormons" that all those accused of a violation of the laws would be in for trial the very day on which his report was dated—the 17th of September. "And," says the report, "when that is done, the troops under my com-

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11. Doniphan's Report to Atchison—Documents Published by Order of the General Assembly of Missouri, pp. 24-25.

mand will be no longer required in this county, if the people of the other counties will retire to their respective homes."

A day or two after this report, Atchison succeeded in disbanding the mob forces; and the brethren against whom charges were made appeared before a court of inquiry and entered into bonds to appear at the next session of the circuit court. This much having been accomplished, Atchison thought it no longer needful to keep his whole force of militia in the field, hence he dismissed all his forces except two companies, which were left in the vicinity, under the command of Brigadier-General H. G. Parks. In reporting these latter movements to the governor, Atchison says in conclusion:

The "Mormons" of Daviess county, as I stated in a former report, were encamped in a town called Adam-ondi-Ahman, and they are headed by Lyman Wight, a bold, brave, skillful, and I may add, a desperate man; they appear to be acting on the defensive, and, I must further add, gave up the offenders with a good deal of promptness. The arms taken by the "Mormons" and the prisoners were also given up on demand with seeming cheerfulness.<sup>12</sup>

The forces which had been called out by order of General Atchison were disbanded, except the two companies that were left under the command of General Parks. Parks and these men remained in the vicinity of Diahman, watching both "Mormon" and Gentiles, assisting in serving civil process, and reporting occasionally to his superior officers. As these reports come from a source that is other than a "Mormon" one, he is a witness to the uprightness of the acts of the "Mormon" people at that time of considerable importance; and this must be our justification for inserting several extracts from his official reports. In a report which Parks made to Governor Boggs, on the 25th of September, occurs the following:

Whatever may have been the disposition of the people called "Mormons" before our arrival here, since we have made our appearance, they have shown no disposition to resist the law or of hostile intentions. \* \* \* There has been so much prejudice and exaggeration concerned in this matter, that I found

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12. Atchison's Report to Governor Boggs. Documents, etc., p. 28.

things entirely different from what I was prepared to expect. It is true that a great excitement did prevail between the parties, and I am happy to say that my exertions, as well as those of Major General Atchison, and the officers and men under my command, have been crowned with success. When we arrived here, we found a large body of men from the counties adjoining, armed and in the field, for the purpose, as I learned, of assisting the people of this county against the "Mormons," without being called out by the proper authorities.<sup>13</sup>

In the meantime, a committee of "old citizens" had agreed to meet with a committee appointed by the Saints in Daviess county, for the purpose of making arrangements for either buying the property of the Saints, or of selling theirs to the brethren. Speaking of this committee in a postscript to the above report, Parks says:

"I received information that if the committee do not agree, the determination of the Daviess county men is to drive the 'Mormons' with powder and lead."<sup>14</sup>

The committee met and the brethren entered into an agreement to purchase all the lands and possessions of those who desired to sell and leave Daviess county. Messengers immediately carried the news of the agreement to the Prophet at Far West, and he approved of the action and immediately appointed messengers to the Churches east and south to raise the means to fulfill the contract.<sup>15</sup> But continued conflicts on every hand prevented its consummation.

Two days later than the date of Parks report last quoted, General Atchison wrote to the governor, saying:

"The force under General Parks is deemed sufficient to execute the laws and keep the peace in Daviess county. Things are not so bad in that county as represented by rumor, and in fact from affidavits. I have no doubt your excellency has been deceived by the exaggerated statements of designing or half crazy men. I have found there is no cause of alarm on account of the "Mormons;" they are not to be feared; they are very much alarmed."

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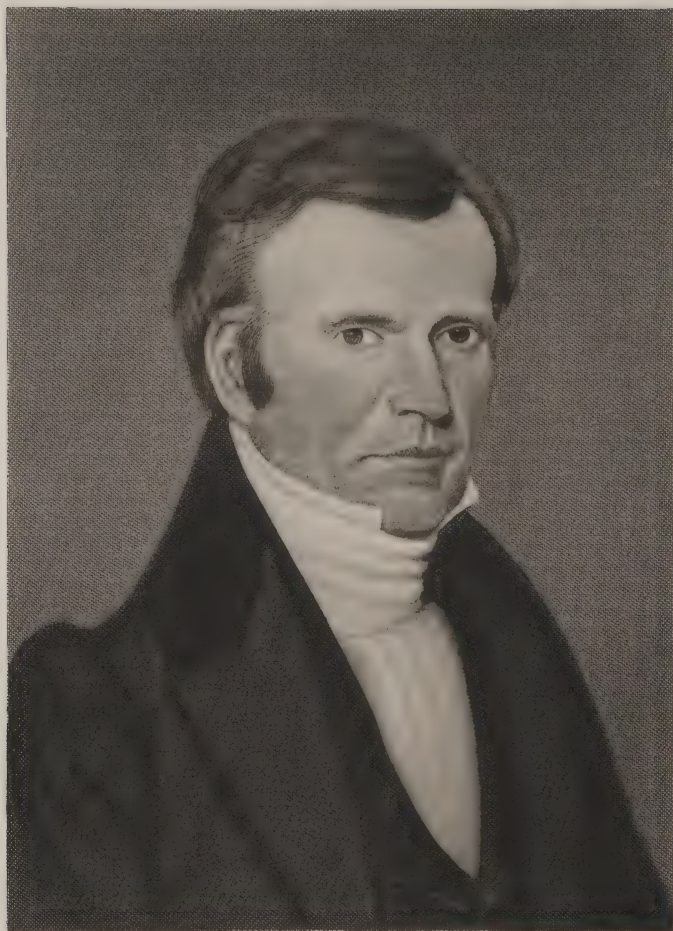
13. Gen. H. G. Parks to the Governor, Documents, etc., p. 32.

14. Ibid, p. 33.

15. Documentary History of the Church, Vol. III, p. 84.



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FREDERICK G. WILLIAMS





## FREDERICK G. WILLIAMS

Second Councilor to Joseph Smith, 1833-37, from an oil painting by Weber (1831) now in possession of his family in Ogden, Utah.



These statements, accompanied by the former statements of Atchison and Doniphan, which said the "Mormons" were only acting on the defensive, and had surrendered the arms they had taken from the mob together with the prisoners with promptness, prove that the Saints in collecting and arming were merely acting in self-defense, and not with any desire to outrage the laws or injure the Missourians.

The mob forces thwarted for the present in their designs on "Di-Ahman," moved next upon DeWitt, in Carroll county, with the express purpose of expelling the Mormons from that place. No charge at all of unlawful conduct is made against the Saints in DeWitt. The utmost that was said against them by the mob to the committee of citizens from Chariton county—who went to DeWitt to inquire into the trouble there—was, that they were unwilling for the Mormons to remain at DeWitt "which was the cause of them waging war against them—they were waging a war of extermination, or to remove them from said county."

"We also went into DeWitt," says the committee's report. "We found them [the Mormons] in the act of defense, begging for peace, and wishing for the civil authorities to repair there and as early as possible settle the difficulties between the parties. Hostilities have commenced, and will continue until they are stopped by the civil authorities."

This report of the Chariton county committee was transmitted to the Governor with General Atchison's report to him of October the 5th.<sup>16</sup> General Atchison ordered Gen. Parks to disperse the mob about DeWitt, but that officer reported his command as partaking "in a great degree of the mob spirit, so that no reliance can be placed on it;<sup>17</sup> and while Gen. Atchison disagreed with this view it prevented Gen. Parks from venturing upon any decisive measures against the mob, or giving relief to the Saints of DeWitt.

The Prophet, learning of the distress of the Saints at DeWitt, made his way to them. He found the Saints in sore straits, their food supplies exhausted, and a constantly increasing mob surrounding them. A number of non-mormon citizens of De-

16. Atchinson's Report to Governor Boggs, of Oct. 5th. Documents, etc., pp. 35, 36.

17. Gen. Atchison to the Governor, Documents; etc., p. 39.

Witt expressed a willingness to make affidavits respecting the treatment of the Saints at the hands of the mob, and their present perilous situation; also their willingness to send a messenger with such affidavits to the Governor. The affidavits accordingly were drawn up and placed in the hands of a Mr. Caldwell who presented them to Governor Boggs, but the executive of the state instead of giving the besieged citizens of DeWitt any hope of relief, said to Mr. Caldwell—

*“The quarrel is between the Mormons and the mob, and they can fight it out!”*<sup>18</sup>

To the disgrace of Governor Boggs these affidavits of the non-Mormon citizens of DeWitt are not among the official papers reported to the Missouri legislature.

Shortly after this incident Gen. Parks sent word to the people of DeWitt that his troops under Captain Bogart had mutinied and to prevent them from joining the mob he was under the necessity of drawing them away.<sup>19</sup> The Prophet had no confidence in Gen. Parks himself, and denounces him for making no move against the mob, and giving as his reason that “Bogart and his company were mutinous and moberatic, that he dare not attempt a dispersion of the mob.”<sup>20</sup>

Deserted on every hand by the legal authorities who should have gone to their assistance, and the mob forces constantly increasing, there was nothing for the Saints to do but to capitulate and leave DeWitt; and this they did making a melancholy march to Far West, a number dying on the way from the effects of fatigue and privation.<sup>21</sup>

The DeWitt affair may not be more properly closed than by the final official report of Gen. Atchison to Governor Boggs, respecting it.

Boonville, Oct. 16, 1838.

To His Excellency, L. W. Boggs.

Sir—From a communication received from Gen. Parks, I learn that the Mormons in Carroll county have sold out and left, consequently every thing is quiet there, but Parks reports that

18. Documentary History of the Church, Vol. III, p. 157.

19. Ibid, p. 158.

20. Documentary History of the Church, Vol. III, p. 158.

21. Documentary History of the Church, pp. 159, 160.



a portion of the men from Carroll county, with one piece of artillery, are on their march for Daviess county, *where it is thought the same lawless game is to be played over, and the Mormons to be driven from that county and probably from Caldwell county.* Nothing, in my opinion, but the strongest measures within the power of the Executive, *will put down this spirit of mobocracy.*

The troops ordered into the field, from Park's report, partake, in a great degree, of the mob spirit, so that no reliance can be placed upon them; however, in this I believe Parks to be mistaken. I would respectfully suggest to your Excellency the propriety of a visit to the scene of excitement in person, or at all events, a strong proclamation. *The state of things which have existed in the counties of Daviess and Carroll for the last two months, has been, in a high degree, ruinous to the public, and disgraceful to the State.* I would again respectfully suggest strong measures *to put down this spirit of mob and misrule,* or permit them to fight it out. If your Excellency should conclude the latter expedient best calculated to produce quiet and restore order, issue an order to the Major General, 3d division,<sup>22</sup> to discharge the troops now engaged in that service.<sup>23</sup>

I have the honor, &c.,

DAVID R. ATCHISON.

Encouraged by their success at DeWitt against an unoffending Mormon community—beyond the fact that they were Mormons—the mob hastened to Daviess county to repeat there, if possible, their DeWitt success.

While these events were occurring in Carroll county, Cornelius Gilliam was raising a mob in Platte and Clinton counties, west of Caldwell, for the purpose of assisting in this enterprise. General Doniphan learned of both these movements and sent word to Joseph Smith that a body of eight hundred men were moving upon the settlements of his people in Daviess county. He gave orders for a company of militia to be raised at Far West and marched at once into Daviess county, to defend those who were threatened, until he could raise the militia in Clay and ad-

22. This refers to Atchison's own command, the 3rd Division, and serves notice on the Governor that he will not serve in the event of the contingency named; also the reference to allowing the parties to "fight it out" as a means of settlement, is doubtless a covert sarcasm alluding to Gov. Boggs answer to Mr. Caldwell in the DeWitt affair.

23. The Italic's in the above communication are mine—B. H. R.

joining counties to put down the insurrection.<sup>24</sup> Accordingly a company of one hundred militiamen were gotten in readiness to march into Daviess county. The command was given to Colonel Hinkle and he started for Diahman.

After General Parks had left the vicinity of DeWitt, with his mutinous militia, he returned to Diahman, where he had left Colonel Thompson in command, and resumed control of affairs in that section.

The mob about Diahman, hearing of the fate of DeWitt, and learning of the approach of that mob and the efforts of Gilliam in raising a mob in the west, became bolder, and at once began to threaten the Saints and burn some of their houses and stacks of hay and grain. These depredations were committed chiefly in the vicinity of Millport, a short distance from Diahman.

General Parks passed these burning ruins, and they seemed to arouse within him a just indignation. He at once went to the house of Lyman Wight and gave him orders to call out his companies of militia men—Wight holding a Colonel's commission in the fifty-ninth regiment of the Missouri militia, commanded by General Parks—and gave him full authority to put down mobs where ever he should find them assembled. He said he wished it distinctly understood that Colonel Wight had full authority from him to suppress all mob violence.<sup>25</sup> The militia that Colonel Wight called out was divided into two companies; one company, consisting of about sixty men, was placed under the command of Captain David W. Patten, and the other of about the same number was commanded by Wight in person.

Captain Patten was ordered to go to Gallatin. Here he found a body of the mob, about one hundred strong, who were amusing themselves by mocking and in various ways tantalizing a number of the Saints whom they had captured. Seeing the approach of Patten's men, and knowing the determination of the leader, the mob broke and ran in the greatest confusion, leaving their prisoners behind them.

On his arrival at Millport, Colonel Wight found the whole country deserted by the mob which had infested it, and their

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24. Documentary History of the Church, Vol. III, p. 161.

25. Documentary History of the Church, Vol. III, p. 163.

houses in flames or in smouldering ruins. The mob having learned that General Parks had ordered out Wight's company of militia, was seized with sudden fear and swore vengeance, not only upon the "Mormons" but upon General Parks and Doniphan as well. To accomplish this purpose, they had loaded their most valuable personal effects into wagons, and setting fire to their log huts, they sent runners throughout the state with the lying report that the "Mormons" had "riz" and were burning the houses, destroying property, and murdering the "old settlers."<sup>26</sup>

The Gallatin-Millport events related above occurred on the 17th, 18th and 19th days of October; but Gen. Parks who certainly had acted in a weak and unsoldierly way before DeWitt, and who was suspected of more or less sympathy with the mob forces, made no mention of the orders he had given to Lyman Wight to put down mob violence in Daviess county; but on the contrary makes in said report unfriendly allusions to a body of Mormons under arms at Di-Ahman who declared their intention to "defend that place." He reports also the desertion of Millport by the "old settlers;" expresses the belief that the Mormons had "become the aggressors;" that the excitement in Daviess county was "more deep and full of vengeance" than he

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26. It was a cunning piece of diabolism which prompted the mob of Daviess county to set fire to their own log cabins, destroy some of their own property and then charge the crime to the Saints. But it was not without a precedent in Missouri. Two years before that, something very similar occurred in Mercer county, just northeast of Daviess. In June of the year 1836, the Iowa Indians, then living near St. Joseph, made a friendly hunting excursion through the northern part of the state, and their line of travel led them through what was known as the "Heatherly settlement," in Mercer county. The Heatherlys who were ruffians of the lowest type, took advantage of the excitement produced by the incursion of the Indians, and circulated a report that they were robbing and killing the whites. During the excitement these Heatherlys murdered a man by the name of Dunbar, and another man against whom they had a grudge, and then fled to the settlements along the Missouri river, representing that they were fleeing from the Indians for their lives. This produced great excitement in the settlements in the surrounding counties; the people not knowing at what hour the Indians might be upon them. The militia was called out for their protection; but it was soon ascertained that the alarm was a false one. The Heatherlys were arrested, tried for murder, and some of them sent to the penitentiary. This circumstance occurring only two years before the action of the mob about Millport, and in a county adjacent to Daviess county, doubtless suggested the course pursued by the mob in burning their own houses and fleeing to all parts of the state with the report that the "Mormons" had done it, and were murdering and plundering the old settlers. The Heatherly incident is called the "Heatherly War" in Missouri annals the circumstance is given at length in the "History of Livingston county, Missouri," written and compiled by the National Historical Company (1886), chapter 3, pp. 719, 713.



had ever seen it before; and he would "not be surprised if some signal act of vengeance would be taken on these fanatics"—the Mormons, of course. "I do not know what to do," he adds, "I will remain passive until I hear from you. I do not believe calling out the militia would avail anything towards restoring peace, unless they were called out in such force, as to fright the Mormons and drive them from the country. This would satisfy the people, but I cannot agree to it."<sup>27</sup>

On the strength of this report Gen. Atchison sent the following remarkable communication to Governor Boggs, in which one may see struggling in the mind of the General deep disgust and just indignation at the course events had taken.

Liberty, October 22, 1838.

To His Excellency, the Commander-in-chief.

Sir:—Almost every hour I receive information of outrage and violence—of burning and plundering in the county of Daviess. It seems that the Mormons have become desperate, and act like mad-men; they have burned a store in Gallatin; they have burnt Millport, they have, it is said, plundered several houses; and have taken away the arms from divers citizens of that county; a cannon that was employed in the siege of DeWitt, in Carroll county, and taken for a like purpose to Daviess county, has fallen into the hands of the Mormons. It is also reported that the anti-Mormons have, when opportunity offered, disarmed the Mormons, and burnt several of their houses.

The great difficulty in settling this matter, seems to be in not being able to identify the offenders. I am convinced that nothing short of driving the Mormons from Daviess county will satisfy the parties opposed to them; *and this I have not the power to do, as I conceive, legally.* There are no troops at this time in Daviess county, nor do I deem it expedient to send any there, for I am well convinced that it would but make matters worse; *for, sir, I do not feel disposed to disgrace myself, or permit the troops under my command to disgrace the State and themselves by acting the part of a mob. If the Mormons are to be driven from their homes, let it be done without any color of law, and*

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27. Report of Gen. Parks to Gen. Atchison, Oct. 21, Documents, etc., p. 47.

*in open defiance thereof; let it be done by volunteers acting upon their own responsibilities.*<sup>28</sup>

However, I deem it my duty to submit these matters to the Commander-in-chief, and will conclude by saying it will be my greatest pleasure to execute any order your Excellency shall think proper to give in this matter with promptness, and to the very letter.

I have the honor to be,  
Your Excellency's most Ob't ser'vt.  
DAVID R. ATCHISON.<sup>29</sup>

After this Gen. Atchison took little part in the movements of the state militia against the Mormons. From Richmond, under date of the 28th of October, he joins in an official report with Gen. Lucas, Major General of the 4th Division state Militia—from Jackson county—saying that in consequence of “late outrages committed by the Mormons, civil war is inevitable;” that “they have set the laws of the country at defiance and are in open rebellion.” The two officers announce that they have two thousand men under arms to keep the Mormons in check, and urge that his “Excellency be at the seat of war, as soon as possible.”<sup>30</sup> On the 30th of October these two officers received the “Exterminating Order” of Governor Boggs dated 27th of the same month. Gen. A. W. Doniphan at the same time received “an order and a letter” from the Governor instructing him to obey the orders of Gen. John B. Clark when he should arrive and assume command, as he had been ordered to do. “The letter was very denunciatory of the Mormons, and declared among other things, that ‘they must all be driven from the state or exterminated.’ ” The authority here quoted adds:

“It is asserted that Gen. Atchison’s orders or directions from the Governor were to the same purport as Doniphan’s letter from the Governor, and that thereupon Gen. Atchison withdrew from the military force, declaring that he would be no party to the enforcement of such inhuman commands. On the other hand, it is asserted that the Governor’s orders to Atchison relieved

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28. Italics in the above are mine—B. H. R.

29. General Atchison to the Governor, Documents, etc., pp. 46, 47.

30. Atchison and Lucas to the Governor, Documents, etc., p. 76.

him from command, directing him to turn over his command to Gen. Lucas. At any rate, Gen. Atchison left the militia at Log Creek on receipt of the Governor's orders, and returned to his home at Liberty, and Gen. Lucas was left in sole command.<sup>31</sup>

Gen. Atchison would never clear up this uncertainty in relation to his retirement from these movements against the Mormon settlements. The Author of the History of Caldwell county says: "Repeated letters to Gen. Atchison on this subject have received no answer."<sup>32</sup> Joseph Smith says that Gen. Atchison "withdrew from the army at Richmond as soon as the Governor's extermination order was received."<sup>33</sup> Gen. Doniphan says that Atchison was "dismounted" and sent back to Liberty, Clay county, by special order of Governor Boggs on the ground that he was inclined to be too merciful to the Mormons.<sup>34</sup> Governor Boggs himself says, in a communication to Gen. Clark, November the 6th, that "Gen. Atchison was not ordered out in this last affair [i. e. under the Exterminating Orders of Oct. 27th], for two reasons: one was, that I was aware as a member of the legislature he would have other duties to attend to; and another was, *that there was much dissatisfaction manifested towards him by the people opposed to the Mormons.*"<sup>35</sup>

The only regrettable thing in the whole course of Gen. Atchison, and the only inconsistent thing, was his joining with Gen. Lucas in their report to the Governor of the 28th of October, charging "outrages committed by the Mormons;" and in this he was doubtless misled by Gen. Park's report to him of the 21st of October (see *ante*); also saying that they had "set the laws of the country at defiance," and were in "open rebellion." In answer to all this it might be asked: when all the officers of the law refused to hear their complaints, and both civil and military authorities delivered them into the hands of merciless mobs to be plundered and outraged at their brutal pleasure, and all petitions for protection at the hands of the governor had been answered with—"It is a quarrel between the Mormons and the

31. History of Caldwell county, National Historical Co. (1886) p. 133.

32. History of Caldwell county, National History Co. (1886) p. 133—note.

33. Documentary History of the Church, Vol. III, p. 187.

34. Ibid., p. 176, note.

35. The Governor to Gen. Clark, Documents, etc., p. 69.



mob, and they must fight it out"—what was left for them to do but to arm themselves and stand in defense of their homes and families?

But this incident aside, whether he was "dismounted" for being too merciful to the Mormons; or withdrew from the military forces moving upon the Mormons on receiving Governor Boggs's exterminating order, on the ground that he "would be no party to the enforcement of such inhuman commands"—his departure is equally honorable to General David R. Atchison.<sup>35</sup>

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35. David R. Atchison was born in Kentucky, 11th of August, 1807, and was therefore a young man—thirty-one—during the Mormon troubles in Upper Missouri. He afterwards became a prominent figure in politics, state and national. He served two terms as United States Senator from Missouri, 1843-1855; was president *pro tempore* of the Senate, and pro slavery leader in the Kansas troubles of 1856-7. He died in Clinton county, Missouri, Jan. 26th, 1886. The words in Gen. Atchison's Report to Governor Boggs, emphasized in these pages—*I do not feel disposed to disgrace myself, or permit the troops under my command to disgrace themselves by acting the part of a mob. If the Mormons are to be driven from their homes, let it be done without any color of law, and in open defiance thereof*—are worthy to be engraved on this monument.

(*To be Continued.*)

THE SCOT IN NEW ENGLAND  
AND THE MARITIME PROVINCES

BY JOHN CALDER GORDEN, B. N. S., Secy. and Custodian American  
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PART IV

*Sir William Alexander's Policy*

SIR WILLIAM ALEXANDER'S policy in New Scotland seems to have been devoted to establishing harmony rather than discord between the French and the Scots, doubtless realizing that the presence of a few straggling Frenchmen under the conditions then existing could not be of any great menace to his colonization plans. This is proven by his generous treatment of the La Tours.

To carry out further the colonization of New Scotland we learn from a letter written by the King, dated Nov. 17, 1629, that Sir William had "agreet with some of the heads of the Chief Clans of the Highlands of that our kingdom, and with some other persones for transplanting themselves into New Scotland." Concerning which proposal His Majesty says: "We doe very much approve of that cause for advancing the said plantations and for debordening that our kingdom of that race of people \* \* \* and since that purpose may very much import the publick good." He closes by making a strong appeal for cooperation.

Early in the summer of 1630, Sir William Alexander, Jr., again made a visit to the Scottish colony at Port Royal, where he found everything progressing satisfactorily. Leaving Sir George Home in charge of the colony, Alexander, Jr., returned to England in the fall of the same year at the earnest solicitation of the Scottish colonists to set in motion all influences possible to prevent the king from ceding the territory to the French.

From this time until the signing of the treaty of St. Germain, March, 1632,—a period of vacillation and duplicity ensued on the part of King Charles to win French favor, telling his Scottish subjects one thing and advising the French court at the same time something to the contrary,—no further attempts were made by Alexander and his associates to send colonists to Nova Scotia. During this period, Sir William and his friends employed the most powerful measures to prevent the king from committing not only a stupendous blunder but an act of perfidy in ceding to France all the territory granted by himself and his father, King James, for the founding of a new Scotland.

On the 23rd of April, 1629, a provisional treaty of peace was entered into between the French and English governments. The impecunious condition of Charles the First at this time, together with the difficulties in which he was involved with his parliament in his attempt to establish absolute authority, doubtless was one of the compelling influences which led the king into these overtures with the French government, inasmuch as the French king, his brother-in-law, threatened to withhold the 400,000 crowns, part of his queen's dowry, unless Britain vacated this part of North America.

And yet while these proposals were being considered, King Charles, seeking to hold the favor of the Scots, maintained the semblance of supporting them in the colonization of Nova Scotia. In a royal letter, dated May 16, 1630, the king thanked Sir William Alexander, Jr., for his "careful and provident proceeding for planting of a colony at Port Royal" and desires him to continue as he had begun, "that the work might be brought to perfection." He further charges him to appoint a deputy during his absence. On July 3 Gov. Alexander was further informed of the king's desire to maintain the rights of the Scots to the territory granted by himself and his father, while concerning French claims he desires a statement of the rights of his own subjects and of the grounds on which he is called on to maintain the patent granted by his father and himself. This inquiry was a mere pretext. On the same date, the king informed the convention of the Scottish estates that Sir William Alexander was appointed a Royal Commission to consult with them on public



affairs. In view of the crisis that had arisen, it was necessary to satisfy the Knights Baronets of New Scotland that their patents and titles were secure. For this purpose the commissioner, Alexander, requested the convention "to ratify their patents." This was done in due form. He next proceeded on behalf of the baronets to urge that it was of the utmost importance to maintain the settlement in New Scotland. The convention without delay unanimously voted to petition the crown to retain the colony (Acts, Scottish Parliament, Vol. v, page 208). This petition was accompanied by a lengthy brief prepared by the commissioner in which a close and detailed argument is made in support of Scottish right and title to New Scotland,—a masterly and exhaustive document.

Despite the objections of the Scots and the representations made establishing their rights in New Scotland, the treaty of St. Germain, ceding the territory to France, was signed and ratified in 1632. After this unceremonious act of the King, all the English settlements in America took alarm,—Jamestown in Virginia, Plymouth in Massachusetts, and Penobscot and Machias in Maine—and with good cause as the French claimed that the territory ceded extended south to the Delaware. So exercised were the authorities of the Massachusetts Bay Colony that they proceeded at once to raise fortifications to protect themselves at Nantasket and Agawam (now Ipswich) through fear that the French might attempt an invasion.

We are reminded at this point that Carlyle has written, "Trifles are the hinges of destiny." The cackling of a goose saved Rome, the running of a thistle into an Englishman's foot saved Scotland, and Mark Antony's predilection for the shape of Cleopatra's nose laid old Troy in ashes and lost him a world. A sordid, weak, and stupid monarch bartered away for a handful of gold a great empire won by his patriotic subjects at vast cost of life and treasure.

Tracy in his Tercentenary History of Canada says on this point: "Sir William Alexander found to his infinite astonishment and disgust, that his king had, in an excess of good nature, ceded back to France all that Scottish valor had won and Scottish enterprise dared."

As indicative of the tenacity with which the Scots clung to New Scotland even in the face of French possession, we find that on Sept. 14, 1633, a commission was granted under the Great Seal to the High Chancellor of Scotland and seven other foremost officials and gentlemen for the purpose of giving title in fee simple of lands in New Scotland, and on Feb. 15, 1634, the record states "they accepted the commission with all the requisite forms." The duty of this commission was to convey to the "Knights Baronets the lands surrendered by Sir William Alexander to the crown for that purpose," and Alexander continued to make such surrenders until within two years of his death in 1640, evidently imbued with the idea that at some future time the British government would again possess the land.

After the treaty of St. Germain, the king, evidently realizing that Alexander had been a great sufferer from that act and in recognition of his losses, gave him a strip of land on both sides of the St. Lawrence River measuring 300 miles on both sides and extending from its mouth to the Pacific Ocean.

On June 28, 1633, the Scottish Parliament passed an act reciting and ratifying the charters and grants made by Kings James and Charles of the territory comprising New Scotland to Sir William Alexander, with the rights, privileges, etc., therein, and likewise acknowledged and ratified the act by which the order of Knights Baronets of New Scotland was created, and all the grants made under it. In 1635, at the request of the king "the Council of Affairs of New England in America" granted to Sir William Alexander "all that island of islands theretofore called by the name of Matawock, or Long Island, and thereafter to be called by the name or names of the Isle or Isles of Stirling." When that company surrendered its right to the crown, the second Earl of Stirling secured a patent for the "county of Canada, Long Island and adjacent islands," and the patent was confirmed by Charles I. In 1637, Sir William Alexander appointed James Farret as deputy governor to manage and dispose of the Isles of Stirling, where he resided for a number of years. Gov. Farret was also authorized to take up and dispose of for his own use 12,000 acres of land, and he selected for his

own Shelter Island and Robins Island in Penconic Bay, which he afterwards sold to Stephen Goodyear of New Haven.

Alexander came early into conflict with the Dutch concerning his New York possessions and after a few years Gov. Farret was taken prisoner by the Dutch. In 1647, the Alexander family sent out another agent to America to take possession of the New York property. The doughty Dutch governor forthwith had him arrested and shipped to Holland. We are not advised as to what international complications, if any, were the result. The Dutch authorities of New York in an address to the States General in 1640 says: "We shall treat of Long Island more at length because the English greatly hanker after it."

In a petition to King Charles II in 1663, Henry, the Third Earl of Stirling, says: "Your petitioner's grandfather and father and himself theyre heyre have respectively enjoyed the same and have at great cost planted many places on the island, but of late the Dutch have intruded on several parts thereof." In 1664, the third Earl of Stirling sold his right and title to Long Island to James, Duke of York, when the latter was granted possession of New York. The price agreed was 7,000 pounds sterling, but with true Stuart indifference to financial obligation the money was not paid. The Duke, however, granted in lieu thereof the sum of 300 pounds per annum of the revenues derived from the province of New York. This again proved a mere pretext, a promise made only to be broken. In 1760, Major General Sir William Alexander, Earl of Stirling, with two other heirs to this property, petitioned the king for payment of purchase money for Long Island granted to their ancestors.

Stirling, a village near the New Jersey home of the last Earl of Stirling resident in this country, is the only existing memorial of this famous family in America.

Sir William Alexander's second son, Anthony Alexander, studied architecture on the continent and was appointed, Nov., 1628, as Master of Public Works, and on Jan. 9, 1634, he, with James Murray, was appointed as Royal Surveyor. Anthony was on July 3, 1634, initiated into the Masonic order in the Lodge of Mary's Chapel, and through this connection was chosen General Warden of "The Master Tradesmen of Scotland." In 1632,



he was selected by his father to plan and supervise the erection of a new mansion in the town of Stirling, befitting the family's exalted rank and prominent social position. Sir William had already rebuilt and enlarged the old family residence at Menstrie, about five miles from Stirling. Sir William evidently felt that as a peer of the realm and secretary of state for Scotland, he ought to possess a lordly dwelling, while his title suggested its erection in the town whence it was derived. Anthony selected a site immediately adjoining the entrance to the castle, where on every side the view is alike extensive and beautiful. On a site so favored Anthony had ample scope for the exercise of his best skill and he proved equal to the task by designing an edifice of graceful and elegant proportions. "A square structure, with two projecting wings, the back and front display a series of dormer windows, with a profuse distribution of semi-classic moldings. The baron's hall is a lofty apartment, panelled with oak, and provided with an elegantly sculptured chimney piece richly gilt. The stair-case exhibits a massive balustrade of carved oak. In the center of the front wall over the entrance porch, an elegant sculpture, also entire, represents the owner's coat of arms." The building of the mansion occupied three years, the family taking possession in the autumn of 1635. Through many years, this house was one of the most prominent social and political centers in Scotland, kings and potentates, dignitaries of church and state frequently tasting its genial hospitality. The house stands to this day conspicuous among the many attractions of Stirling and is known as Argyle Lodging, and is now used as a military hospital, "probably the finest specimen of an old town residence remaining in Scotland."

Sir William Alexander died on Feb. 12, 1640, at his residence in Covent Garden, London, and received a funeral befitting his high rank and service. The body was embalmed, placed in a lead coffin and conveyed by special vessel to Scotland, and deposited in the family vault at Stirling on the south side of the High Church.

Sir William married in early life, Janet, daughter and heiress of Sir William Erskine, son of Erskine of Balgonie, titular archbishop of Glasgow, parson of Campsie, chancellor of the Cathe-

dral of Glasgow and commendator of Paisley. They had ten children, seven sons and three daughters.

From Sir William Alexander's uncle, John Alexander, was descended William Alexander, Earl of Stirling, a major general in the American army during the war of Independence, conspicuous among the leaders of the time for his energy, promptness and public spirit. He married a daughter of Philip Livingstone, another Scot, whose family held first place during the early colonial and revolutionary period. For nine years, Mr. Livingstone was one of the aldermen of New York city and was later elected a member of the General Assembly of the colony, which position he held ten years until that body was dissolved. When the war of Independence broke out, he was chosen a member of the first Continental Congress, and when the Declaration of Independence was adopted he was one of the first signers.

The father of the major general, James Alexander, came to America in 1716, owing to the part he had taken in support of the House of Stuart in the rebellion of the previous year. He had attained at an early age great proficiency in mathematics and skill in those branches of science which are dependent upon them. He obtained no little distinction as an officer of engineers in the service of the Pretender. Notwithstanding his political affiliations in his native land, from the moment of his arrival on American soil he became a staunch adherent of Whig principles. At this time Alexander enjoyed, through the influence of John Duke of Argyle, "The Great Duke," whose character, Sir Walter Scott has portrayed with historical fidelity in the *Heart of Midlothian*. It will be remembered in this connection that the House of Argyle was the hereditary friend of the Alexander family, hence Alexander immediately obtained the patronage of the colonial representatives of the House of Brunswick, receiving an appointment in the office of the secretary of the Province. His mathematical acquirements were early recognized and he was appointed surveyor general for New Jersey and New York. In 1720 with his countryman, Dr. Calwallader Colden, he was chosen by Governor Burnett of New Jersey and New York, also a Scot, a member of his council, "in which choice," says a writer

of the time, "the governor showed his wisdom, for they were both men of learning, good morals and solid parts." The family attributes of versatility and ceaseless energy found in the surveyor general a prominent illustration. In the midst of his various duties, he found time to pursue the study of law, was admitted to the bar and became noted for the volume and accuracy of his legal knowledge.

A tradition of the Alexander family is to the effect that James Alexander Father of Major General Alexander was one of those Scottish Associates who were ardent to have the exiled king, Charles III, formerly Prince Charlie of 1745, come across the sea and raise his standard in America in the cause of the integrity of the American Provincial charters, which recognized him as King in their just interpretation. Washington Irving states that Sir Walter Scott told him that in the royal family papers in Windsor Castle is some of the captured correspondence between the Scots of America and Prince Charles to this effect. However this may be, we have evidence of the fact that some of the American Scots and other so-called Legitimists in the colonies took as their badge the white Cockade and the mountain eagle, in memory of the White Cockade of the Stuarts and the Order of the Mountain Eagle founded in Scotland in 1745 by Prince Charlie for his adherents in the cause of the ancient constitution. This mountain eagle was in the arms of the family of De Ergedia, that is of Argyle, Lord of the Isles, to whose scion King Robert Bruce exclaimed at the Battle of Bannockburn: "Lord of the Isles, my trust is in thee." It was to honor the most powerful chief of his Scottish adherents in 1745, who bore by descent from the Lords of the Isles the eagle of the Ergedias, that Prince Charlie chose this imperial emblem. In the name of the same cause, in the Stuart charters of America and for the independence of the same from the Revolutionary designs of the English parliament, the mountain eagle of the Ergedias was worn in America by many of the Scottish and other soldiers, and finally became the emblem of the United States. One of these eagles, worn at Bunker Hill in 1776, is in a historical collection at Boston, Mass., owned by Mr. Baker of the New England Historic and Genealogical Society.



## PART V

*French Attempts at Settlement*

TWO unsuccessful attempts had previously been made by the French to establish a settlement on the Annapolis Basin, 1605 and 1610. The first failed because the dominant and controlling idea of colonization was lacking and the second was broken up and driven away by an armed expedition from Jamestown, Virginia, in 1613, under command of Captain Samuel Argall, later Governor of Virginia, who was ordered to destroy all French settlements encroaching upon the territory of the English.

With the one exception of the capture by Captain Argall a few weeks previous of a French vessel containing Jesuit missionaries, who were preparing to settle on what is now known as Mount Desert Island, this was the first conflict between the French and the English in the new world. In these two engagements only one man was killed, Captain Argall's purpose being to warn the French that they had no title to found permanent settlements in North America and to desist therefrom. It has been stated by certain historians that Argall razed all the French habitations at Port Royal (on the Annapolis Basin), but this is not the fact. The truth is that he only demolished the fort, thereby seeking to destroy all evidences of military power and the authority of possession.

It should be remembered that at this time France, Britain, and Spain, all claimed North America, the Dutch, in a quiet way, confining their claims and operation to the territory about New York State. In this connection, it is interesting to note that the claim to New England, New Scotland and Virginia as set forth by the Scottish Convention of Estates (the landowners) at Edinburgh was grounded on Cabot's discovery. The record of this convention states:

"Immediately about the time that Columbus discovered the isle of Cuba Sebastian Cabot, sent out from England by Henry the Seventh, did first discover the continent of America, beginning at Newfoundland, and thereafter going to the Gulf of Canada, and from thence having seen Cape Breton all along the

coast to Florida. By which discovery his majesty hath the title to Virginia, New England and New Scotland, as being there first discovered by Cabot at the charge of the King of England."

It may be well in passing to note the essential difference of the basic motives dominating the various colonists, particularly the French and the Scotch—the two peoples at this time attempting to colonize this portion of the new world, or that part now known as the Province of Quebec and the Maritime Provinces. The French were evidently content to devote themselves to the easier and more fascinating pursuits of adventure and trading for furs with the Indians rather than the less venturesome toil of agriculture and the founding of a permanent home, which were peculiarly characteristic of the Scotch.

"There is no wonder the French being so lightly planted did take no deeper root in America," said Sir William Alexander in his work "Encouragement to Colonies," "for they as only desirous to know the nature and quality of the soil, and of things that were likely to grow there, did never seek to have them in such quantity as was requisite for their maintenance, effecting more by making a needless ostentation, that the world should know they had been there, than that they did continue still to inhabit there, like them, that were more in love with glory than with virtue, they being always subject to division among themselves, it was impossible that they could succeed."

In the year 1605, two years previous to the settlement of Jamestown, Virginia, by the English, the French established on the shores of Port Royal, (so named by the great Champlain) now known as Annapolis, what is generally recognized as the first permanent settlement of Europeans in North America. The leader of this expedition was Pierre du Guast, Sieur de Monts, governor of Pens, and an officer in the royal household. Accompanying him were some of the choicest spirits of those times, among them Samuel de Champlain, who later was to win immortal fame and who to-day is the most outstanding figure in the entire history of New France. Although a young man, Champlain had already won substantial recognition from his king for his active part in the French civil war. He came bearing a royal and detailed report of his discoveries, with charts, maps, etc.

Another smiling gentleman in this company was Jean de Bien-court, Baron de Poutrincourt, who after a period of struggle and contention in behalf of his King desired to escape the civil strife of old France and sought to obtain a quieter home for his family across the Atlantic. Baron Le Pontgrave, a practical businessman, was another active influence, who was destined later, with de Monts and Champlain, to have a share in the founding of Quebec.

The first effort at productive agriculture in North America was at Port Royal in 1606. The same year also witnessed the construction of the first lime kiln and the first blacksmith's forge. Here also was the first ship yard on the continent, two small vessels being built and launched, and here was the first corn mill erected.

It is no part of our purpose to trace in detail all the experiences of the French at this time, suffice it to say that the settlement commenced at Port Royal under such favorable auspices was doomed to early disaster. The end of May, 1607, brought an order from France to abandon the colony. The enemies of *Sieur de Monts* at court, by false representation, had influenced the king to withdraw his support and order the settlers to return to France.

Port Royal with its sunlit waters and smiling hillsides, clad with the forest primeval had a strong fascination for the Baron de Poutrincourt, the call of the wild finding eager response within him, and the echo of the sounding sea as the mighty tides dashed back and forth through the Digby Gap ever ringing in his ears. Hence we find that after much discouragement and the exercise of the most subtle diplomacy he gained the consent of the king for the renewal of the grant at Port Royal, and, in 1610, three years after the first failure, he returned to the land that had called, earnestly intent upon founding a permanent settlement and instituting an active propaganda for the conversion of the Indians, in which he was aided by a number of Jesuit priests, among them Fathers La Fleche, Biard and Enemond Masse.

Things, however, did not run smoothly at all times in the new settlement. Father Biard assumed to be the sole dictator, not



only in religious matters but in all material and civil affairs as well; hence, Poutrincourt, Roman Catholic though he was, was compelled to say to him, "Show me my path to heaven, I will show you yours on earth." Another echo of the age-long struggle between ecclesiastical and civil authority which even the opening years of the twentieth century with its broader humanitarianism and its wider justice have not ended.

Biencourt, son of Baron de Poutrincourt, was the leader of the French at Port Royal when Argall arrived, and with him Argall held a long conference concerning the rival claims of the English and French title to the country. When Biencourt learned from Argall that the British would have a jealous care over all this country and would not permit the founding of any permanent settlements under the authority or flag of any nation other than Britain, he proposed to Argall that they enter into a commercial partnership and use his (Biencourt's) knowledge of the country to gain great wealth by trading in furs, woods, fish, metals, etc., but Argall, notwithstanding the alluring inducements held out by the French leader, absolutely refused to enter into any alliance with him, telling Biencourt that his sole duty was to warn him against making a permanent settlement under the French flag, and to destroy all evidences of military power. This statement is proven by the fact that the corn mill, farm buildings, houses, etc., of the French situated on the point, now the site of the present town of Annapolis, were left standing and untouched. Argall gave Biencourt his ultimatum, namely, that if hereafter any efforts were made to erect a permanent military station at Port Royal, he would be treated as an enemy. This is somewhat different from the story of most historians who have pictured Argall as a blood-thirsty buccaneer. The fortune-seeking Frenchmen evidently had no intention to abandon their settlement, for as soon as Argall's ships disappeared they rallied and endeavored to rebuild the fort and carry on things much as before. This action of Argall occasioned no complaint by the government of France nor did it attract any special notice from the court of England—conclusive proof, surely, that it was not the cold-blooded, high-handed outrage some historians

have pictured, especially as the two nations were at peace at that time.

Although the British flag erected by Argall floated over the territory, French rule had been put to an end in appearance only. Argall sailed away seeking evidences of other foreign settlements which he found on the site of the present city of Albany, New York, where the Dutch had a trading post. Great numbers of Frenchmen with a sprinkling of Dutch adventurers continued to erect trading posts in various parts of the sea coast in what is now Nova Scotia, New Brunswick, Quebec, and Maine where they went fishing and carried on a profitable trade with the Indians in furs.

There is a curious tradition anent the Jesuits of Port Royal with Poutrincourt repeated by several of their historians, namely, that Father Biard desiring to be the head of a settlement, where he could have undisputed authority, removed with some others and was the head of the party preparing to settle at Mount Desert when Argall arrived. To Argall, Father Biard divulged the location of the French at Port Royal and consequently it was under Biard's inspiration that Argall proceeded against it.

Among the French who had settled at Port Royal with Baron Poutrincourt in 1610 were Claude La Tour, a French Huguenot, and his son Charles, a youth of 14 years. La Tour was of high social position in France and had been a great land owner. He became a victim of the civil strife prevailing in his own country. Misfortune dogged his footsteps and he resolved to begin life afresh in the new world.

*(To be Continued.)*

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THE ROCHAMBEAU HOUSE IN WESTCHESTER COUNTY, NEW YORK

## THE ROCHAMBEAU HOUSE

BY LYMAN HORACE WEEKS

**D**URING the summer of 1781 the allied American and French armies were encamped in Westchester County between White Plains and the Hudson River. The two armies, although separately encamped, occupied contiguous territory, the American with its right resting on the Hudson and the French along the hills of Greenburgh as far as the Bronx, with the valley of the Nepperham between them. Irving, in his "Life of Washington," says: "The French encampment made a gallant display along the Greenburgh hills. Some of the officers, young men of rank, to whom this was all a service of romance, took a pride in decorating their tents and forming little gardens in their vicinity."

Although these encampments were held for a few weeks only, the short period was made an occasion of social gayety by both commands. Visits between the American and French officers were frequent and special entertainments were reciprocally arranged. In the diaries and the letters of these officers are abundant and interesting references to these exchanges of courtesies. On many occasions banquets were planned, and it was not infrequent that the tables were spread in the big barns adjoining the farm houses where the generals had their headquarters. The young French officers ingratiated themselves into the favor of the country belles, dances in whose honor enlivened the summer evenings. The recollections of these affairs was fondly cherished by many Westchester maidens for long years thereafter.

The Count de Rochambeau was chief in command of the French army. With him were such distinguished representatives of noble French families as the Baron de Viomenil, the Chevalier de Chastelleux, the Duke de le Lausun, the Count de

Fersen, the Count de Lauberbiere, the Count de Viomenil, the Count de Custine and others. Rochambeau had his headquarters in the house which has become best known as the Odell homestead. With him, as aide de camp, was young Louis Alexandre Berthier who, in after years, rose to distinction under the great Napoleon, became field marshal of France and Prince of Wagram and died at the hands of unknown assassins.

The Odell homestead was an ordinary country farm house and it has not changed much in the generations which have since gone by. At the time when it was temporarily occupied by Rochambeau it belonged to a family by the name of Taylor as appears from an order issued by General Washington in July, 1781, establishing two markets for the armies, one near his headquarters in Dobbs Ferry and "the other in the French camp near the house of Henry Taylor, which is ye headquarters of His Excellency the Count de Rochambeau."

The house is situated on the high ridge, south of White Plains and west of Hartsdale, where the country overlooks the valley of the Bronx to the east and the territory bordering the Hudson to the west. It is a plain structure of two stories, with a shingled pitched roof and clapboard sides. The front to the street has an entrance and two small paned windows on the first floor, while above are three windows. In the rear the roof slopes long and low to cover the one-story kitchen extension, and one gable end is pierced with windows and the kitchen door. Big trees overshadowed it in the time of the Revolution and have long continued to give a charm to the place. Set back somewhat from the street it is half concealed with shrubbery and a low picket fence.

In the Revolutionary period this house was the home of Colonel John Odell, who was a staunch patriot, one of the famous Westchester guides and a lieutenant-colonel of a regiment of the Westchester County militia after the war had ended. John Odell was descended from William Odell, the American pioneer, who came to Massachusetts in 1639, and settled in Concord. He was the eldest son of Jonathan Odell of Irvington and Margaret Dyckman, his wife, both of whom are buried in the church yard of the old Dutch Church of Tarrytown. John Odell, who was



born in 1756, had an exciting life during the Revolution. In a memorial to the legislature of the State of New York in 1839 he set forth his public services. In 1776, when less than twenty years of age, he enlisted as a private, and during that year he was left almost destitute by the British encamping on his farm and destroying his property. From 1780 to the end of the war he was a member of the Horse Guard of Westchester County, ranking as lieutenant and as captain in the line, and in this capacity he did remarkable work for the patriot cause. So well known did he become, and so feared was he by the enemy that a reward of £100 was offered for his capture, and he had several narrow escapes from being taken prisoner. He was the principal guide in the advance of the continental army through the Saw Mill or Nepperham River valley on July 2 and 3, 1781.

He married Hannah McChain, sister of John McChain, one of his associate guides, and daughter of James McChain, who lived not far from the Odell place on the Greenburgh hills. One of his narrow escapes from capture was when he was once spending the evening in the home of his sweetheart. Some of the Tories of the neighborhood, learning of his presence, determined to make him prisoner. But Hannah McChain, seeing them coming, suspected their purpose and hastily led her lover to a place of secrecy in a low garret under the roof. Although the Tories searched the house they did not find their man; and the following year, after the war had come to an end, the two were married. Descendants of Colonel Odell have continued to occupy the Odell homestead to the present generation.

Not far from the house the French soldiers built bake ovens for use during their occupation. These were on the hill about a thousand yards to the south. Nearly a century later remains of seven of these ovens were found and they were then described as being about six feet long and apparently two feet six inches wide in the clear, built mostly underground, with wall and roof of cobble stones.

## HERALDIC CONSIDERATIONS

BY THE VISCOUNT DE FRONSAC

### FAMILIES OF SEIGNEURIAL RANK IN COLLEGE OF ARMS OF CANADA

LAW, DUKE OF ARKANSAS

**A**RMS:—Ermine, a bend between two cocks, gules, within a bordure of the same. Coronet of duke over siegneurial one.

**History:**—The family of Law is eminent in Scotland and France. In Scotland the first of the name in public affairs occurs in the records of King Robert III. The family intermarried with the Earls of Argyle and assumed the title of Baron of Lauriston, which they bore for six hundred years.

Of this family, John Law went to England in the beginning of the XVIII Century. His handsome appearance and general acquirements and talent made for him a great many enemies in London society. Beau Wilson considered him his especial rival in dress and fashion, and from this envy, put a quarrel on Law. In the duel which resulted, Wilson was killed, and although Law was pardoned by the King, the persecution of the Wilson family forced him to leave the country. He took shelter in France, where his financial plans captivating the Regent, he was speedily invested with the office of Comptroller-General of the Kingdom.

One of his plans embraced the colonization of the Mississippi Valley and the creation of a great port at its mouth. Had his plans been sensibly achieved, the riches of that region, well-developed in French hands—would have rendered French power in America too secure to have been driven out in 1763.

John Law was made Duke of Arkansas and to this, his New World duchy, he sent 1,700 colonists from the Palatinate.

Among them was the ancestor of Gortschak, the musician. But the extravagance and wildness of the French speculators who entered this scheme, ruined it. The Regent died and Law gave his own property for the benefit of those who had lost in the financial part of his project. He was proposing to send 7,000 more colonists to the Mississippi when the bank which he had established, and which had become controlled by irresponsible parties of the Regent's court, became bankrupt. From that time dated the overthrow of his fortune and the Empire which he was establishing in the West.

He married Catherine, daughter of Nicholas, Earl of Bunbury, and by her, who died as his widow in 1747, he had a son, John, who was a coronet in the Nassau Regt. in Friesland and who died leaving no children; and a daughter, Mary Law, Duchess of Arkansas, who married Viscount William Wallingford, M. P. of Bunbury, Major of the 1st Troop of the Horse-Guards and son of Charles, 4th Earl of Bunbury. He died in 1790 without issue.

The right of representation reverted to the 1st Duke's brother, William Law, who was Director-General of the French East Indian Company, who died in 1722, leaving two sons. One of these was John Law, Baron de Lauriston, Gov. of Pondicherry and *maréchal de camp*, who married Jane, daughter of Don Alex. Carvalho, a Portuguese noble. His son was James Alex. Bernard Law, born in Pondicherry, in 1768, Colonel of horse artillery in 1794, A. D. C. to the Emperor Napoleon in 1800, Gov.-Gen. of Venice in 1807, commander-in-chief of the Corps of the Elbe. He commanded also a corps of reserve in the Spanish Peninsula in 1823 and afterwards was Marshal of France, Marquis de Lauriston and a Peer of France. He married Claudine Antoinette Julie Le Duc. He left two sons, the eldest of whom, J. Alex. Law, Col. of the 5th Regt. of Chasseurs de Cheval married Jeanne L. D. Carelli and left two sons.

This, the second duchy of the Aryan and Seigneurial Order in America (the first being the Duchy of Veragua) is represented to-day by the present Marquis de Lauriston, who resides in France.



## ROUER DE VILLERAY

Arms:—Azure a chevron d' or between three helmets, *en profile*, argent. Seigneurial coronet.

History:—This family is of Champagne Jacques Rouer, Sieur de Villeray, "vallet de chambre" of Her Majesty the Queen. His son was Louis, Marquis de Villeray, chevalier of St. Louis V, St. Lazare, Guidon of the Gens de Arms of France, etc., and his son;—

Louis R. Rouer, Sieur de Villeray, the first in America of his race, who was member of the Superior Council at Quebec and Civil and Criminal Judge. One of his sons, Augustin Rouer de Villeray, obtained the Seigneurie of Lacordonnière and married at Quebec in 1689, Marie L., daughter of Charles Le Gardeur, and on her decease, in 1709, Marie daughter of Francis Pollet.

Another son, Etienne de Villeray, accompanied Iberville to Louisiana and his son, Joseph, married Louise, daughter of Jacques de La Chaise, by Marguerite, daughter of the Chevalier d' Arensburg, who was presented with a sabre by king of Sweden. His son, Gen. Jacques P. Villeré, was governor of Louisana and author of the Declaration of Independence of that province from Spanish rule in 1764. His son, Col. Villeré was a commander at the Battle of New Orleans in 1814.

## ESTIMAUVILLE BARON DE BEAUMOUCHEL

Arms:—Gules, 3 merlets, argent. Coronet of Baron over Seigneurial one.

History:—Of the ancient noblesse of Normandy, Jean B. D' Estimauville, Baron de Beaumouchel was sent into Canada by the King of France and appointed Lieutenant-Colonel of the District of Three Rivers. He obtained seigneurial registration and married Marie J. Courreau, daughter of the Seigneur de La Coste. His children were I, Jean B.; II, Josephine; III, Marguerite. The eldest, his successor, Jean B. P. d' Estimauville, Baron, etc., was Sheriff of the Admiralty and Major of Canadian Chasseurs. He married in 1805 at Quebec, Marie J., daughter of Joseph Drapeau. His daughter was Marie J. J. E.

d' Estimaerville, Baroness de Beaumouchel, born at Quebec in 1816.

### MEZIERES DE LEPREVANCHE

Arms:—D' or, a lion sable crowned the same, armed and langued gules. Siegneurial coronet.

History:—This family in 1686 registered its proofs of nobility and was of St. Cyr in Normandy. The first ancestor in its records of noblesse is Jean de Mezières, Seigneur de Socance in 1500.

Of the same race was Charles F. Mezières, Sieur de Leprevanche, Chevalier and officer, son of Henri and Marie (Tracet) Mezières of Bois Leprevanche, Evreux, Normandy, who was the first of his line in America. He was admitted to Seigneural rights. He married at Detroit in 1725, Louise, daughter of J. B. Nolant.

### D' AGNEAUX (DANEAU) DE DAUVAL & DU MUY

Arms:—Azure, 3 lambs argent 2&1. Seigneural coronet.

History:—The family of D' Agneaux is among those who proved their four degrees (sixteen quarters) of nobility at Caen in 1666. The branch established in seigneural rights in Canada belonged to the same stock and is mentioned in "La Recherche de la Noblesse" Champillard, p. 280-1. The chief of the family of Daneau du Muy married at Boucherville, Canada (1687) Marguerite, daughter of Pierre Boucher, Seigneur de Boucherville, and at her decease, Catherine, daughter of the Seigneur Charles d' Ailleboust. Afterwards leaving Canada he became Governor of Louisiana.

Michael D' Aigneau, Seigneur de Dauval, of another branch of the same family but the first of his own particular line in America, was born in 1653. He was cadet and ensign in the company of M. Mine; married at Sorel (1688) Marie, daughter of Isaac Lamy. His eldest son and heir was Louis Caesar Dagneaux, Seigneur de Dauval-Quindre, Colonel of Troops at Montreal, married Marie A., daughter of Francis M. Picoté, Seig-

neur de Bellestre and died at Detroit in 1767 leaving issue. His brother, Guillian Dagneaux obtained the seigneurie of La Motte, was born in 1706, and was at Detroit in 1750. He married at Montreal in 1742 Louise, daughter of Louis H. Fournier.

#### RIGAUD MARQUIS DE VAUDREUIL

Arms:—Argent, a lion gules crowned d' or. Coronet of Marquis over Seigneurial one.

History:—The seigneurs of Rigaud were of great antiquity and of powerful race near St. Papoul, France.

Jean L. de Rigaud, Seigneur de Castel-Verdun and of Vaudreuil accompanied the troops of France into Canada as general officer, and married at Quebec in 1690, Louise E., daughter of Pierre de Joybert, Seigneur de Soulanges. His eldest son was Louis Philippe, first Marquis de Vauderville, that marquisate being situated on the St. Lawrence about 20 miles above Montreal. He was Vice-roy of Canada in 1759. He was born in 1705 and married Antoinette Colombel. He was also Governor of Louisiana and his descendant, the last Marquis, deeded his valuable family papers to the Historical Society of Louisiana because there was such hostility among the politicians in control in Canada against the honorable memories of the past régime—no doubt so on account of the reproach the presence of the memories of the Past would be to their own existence in the government.

#### GRANT-LEMOYNE, BARON DE LONGUEUIL

Arms:—Quarterly, 1st & 4th azure, 3 roses gules; on a chief of the 2nd a crescent and 2 stars of the 1st; 2nd & 3rd the arms of Grant of Blairfinlay. Baronial Coronet over Seigneurial one.

History:—The Barony of Longüeul was created from the *Seigneurie* of that name in favor of the Chevalier Charles Lemoigne in 1700, whose family had held that fief since 1642. The first of the name had come to Canada with the founder of the Montreal District, M. de Maisonneuve, and had participated in



the heroic events of that time. The first Baron de Longüeuil was acting Governor-General of New France and a Chevalier of the Royal and Military Order of St. Louis. One of his brothers obtained the fief of Iberville and was the founder and first governor of Louisiana (1698). Another brother received the lordship of Bienville and later was Governor of Louisiana and founder of Mobile and New Orleans. A third brother was the Chevalier de Chateauguay and commander of the troops in Louisiana and was the captor of Pensacola from the Spanish.

The family came from Normandy and was descended on the distaff side from the family of Longueil that bore the title of marquis dating from the X Century. In 1758 the last Baron de Longüeuil of the Lemoyne family, was killed in fighting against the English invasion. His only child, a daughter, Marie, married Capt. Alex. Grant, a Scottish cavalier and a follower of Prince Charles Edward Stuart in 1745, for the cause of legitimacy and constitutional monarchy. On the failure of that heroic undertaking he came to Canada and this marriage with the little Baroness followed. The title thereafter descended in the Grant family. In 1894, Charles Colmore Grant, Baron de Longüeuil became Chancellor of the Aryan and Seignorial Order and successor of the Baron de Longüeuil as President of the Seignorial Council of Canada in 1773 which had been recognized through their representative (de Lotbinière) in 1774 by the King and both Houses of Parliament as the Government in Canada at the passage of the Canada Act of 1774 (See London Parl. Reports).

The history of the family of Grant of Blairfinlay in Scotland, from which this branch sprang, is worthy of recital:—

According to the annals of Scotland, the Grants are of Franco-Norman origin. The first of the name of Grant to appear in Scotland were Lawrence and Robert, sons of Gregory de Grant, who obtained the Lordship of Stratherrick by marriage with an heiress of the family of Bisset. In Skene's "History of the Highlanders," p. 418 (note), it declares: "The name means undoubtedly, Great, and is the French "Grand" or "Grant" (compare Blound, Blount, etc.).—They were Normans but the clan (or population) over whose lands they ruled as lords (like

that in every such instance) were native. The Bissets, Grants, Prats were neighbors in England (Nottinghamshire), Many of the Grants are mentioned connected with the North from 1292 to 1307."

#### ST. VINCENT, BARON DE NARCY

Arms:—Quarterly 1st & 4th, d' or a bull passant gules, horned and hoofed the same; in a sinister canton azure, a cross voided, potencée d' or; 2nd & 3d d' or a bell-chime gules. Coronet of Baron over a Seigneurial one. Crest: —A bull issuant between two banners of the arms, of the second.

History:—This family is ancient and noble in Champagne and Flanders. Pierré de St. Vincent, Baron de Narcy in Champagne, first captain of troops in Canada, Chevalier of St. Louis, was born in 1660, and married Marie Antoinette Dugard, and had: I Marie, II Henry, III Jean C., IV Daniel, V Elizabeth. The eldest, as Baron de Narcy, was an officer of troops at Lorette, Canada, in 1730; he married at Quebec in 1719, Marie M. L., daughter of the Seigneur Jacques Le Vasseur and had: I Thomas A., II Marie T. E., III Charles A. His eldest son has perpetuated the title and race.

#### TONTY, BARON DE PALUDY

Arms:—Argent, a bend engrailed sable. Crest;—A bird ppr.; in front 3 ostrich feathers, gules [as born by the ancient family of Dondi (Tonti) of Venice that at one time had the rank of count]. Coronet of Baron over Seigneurial one.

History:—Laurent Tonti married Isabella de liette. Their son, Alphonse Tonti, Baron de Paludy was born in 1659 and married at Montreal in 1689, Anne, daughter of Pierre Picoté and at her decease, Marie A., daughter of Jacques Roch, Seigneur de La Marque in 1717. He was captain commandant at Detroit and a founder of Arkansas. He was military engineer under La Salle and built Ft. Miami (now Peoria) Illinois. In warfare he was called "The Iron-hand" by the Indians. He was also known as the "Father of Arkansas" and established the first white settlement in that province. He built St. Louis

on the Illinois in 1686. He died at Mobile in 1704. His children were: I Marie F., II Louis, III Charles, IV Claude, V Therese, VI Pierre A., VII Marie J. His eldest son, Charles Henri Joseph Tonti, Baron de Paludy was Governor of St. Louis, Missouri. He married at Chambly, Canada in 1722, Marie M., daughter of Pierre Savburin and at her decease, Louise, daughter of Charles Renaud in 1732, leaving Angelique, and other heirs who have transmitted name and rank.

#### CAEN, BARON DE CAPTOURMENT

Arms:—Azure, a fleur-de-lys argent. A baronial coronet over a seigneurial one.

History:—Guillaume de Caën from the baronial fief of the same name in Normandy dating to the time of Duke William in 1060, was the first to receive a baronial fief in Canada, when Captourment was erected to that degree of feudal importance and bestowed on him by the King Henry IV, surnamed the Great, of France and Navarre. His family afterwards removed to the Island of Guardeloupe. This was a Huguenot family and many members settled in Britain to escape Catholic persecution in France. It is said that a family in America named Kain, or Kane is of this descent.

#### DE LORÉ

Arms:—Ermine, 3 cinqfoils gules. Seigneurial coronet.

History:—A house of chivalric origin that derives its name from the feudal fief situated three leagues from Mans, and which counted 140 censitaires. It flourished since the XIII Century, and had contracted alliances with the most renowned families of Anjou, Poitou, Maine and Touraine. The family was registered among the Seigneurs of Canada during the reign of King Louis XIV.

#### PRÉÉVOST DE ST. FRANCIS

Arms:—Tiercé Ist a crescent argent; 2nd d' or, 3 stars azure; 3d sable a sirène argent.

History:—A family that has given Robert Prévost, Seigneur



de Montreuil du Pereux, Treasurer, Receiver-General and Paymaster-General of the City of Paris, born in 1654, and after filling the above position with honor was made Chancellor-Secretary by the King for his own household and the Crown of France. His cousin, Jean P. Prévost, Seigneur de St. Francis represented this family in Canada in 1683, in Seigneur de St. Francis represented this family in Canada in 1683, in Seignurial registration. He married at Beauport, Canada, Marie, daughter of Martin Girou and at her decease, Marie G., daughter of Jean Sedilot at Ste. Famille. His father was Martin, son of Pierre Prévost by wife Charlotte Viau.

#### MARTIN DE LINO

Arms:—Couped, in chief, d' or 3 hearts gules ranged in fess: azure, a chevron d' or. Supporters;—Two lions d' or, armed and langued gules. Seignurial coronet.

History:— This house, originally Italian was seated since 1470 at St. Tropez in Provence, where its members have occupied the first charges and dignities and contracted distinguished alliances, among others with the families of Attenous, de Pignon, de Leoube, d' Antrechaus, de Gassendi, de Renaud de Trets. Their affiliation is duly certified by numerous titles. One of its most distinguished members was Receiver for the Counts of Toulouse, others were Judges-in-Chief of the Admiralty and Sub-Intendants of Provence. The family had many members of Parliament, Consuls and Mayors of St. Tropez, a Vice-Admiral, and three generations of Councillors-General of the Department of War. From a line of this family living at St. Nizier, Lyon, was Claude Martin, Sieur de Lino and his wife Antoinette Chalmetts.

Mathurin Marton, Sieur de Lino, born in 1651, was the first of this family in Canada. He was an officer sent into Canada by the King where he obtained Seignurial registration. He married at Quebec in 1685, Catherine, daughter of Pierre Nolant. Descended from him was Louis Xavier Martin Chalmetts de Lino, Lieutenant of Marines sent from Canada into Louisiana for whose family Port Chalmets, near New Orleans, is named.

## RAINEAU DE GRAVEL

Arms:—Barri of 4, d' or and azure, 10 glands counter-charged. Seigneurial coronet.

History:—In Dauphinay, but originally of Paris, this family was seated, and had for author, Pierre Raimbault, Secretary to the King, who died in 1553. His descendant was Philippe A. Raineau, Sieur de Gravel in Canada, a Commandant, who married at Quebec in 1728, Therese Mivet. He was son of Antoine Raineau, Commandant of the forests of His Royal Highness, the Count of Toulous and his mother was Marguerite de Poncy.

## D' ESTINNE

Arms:—Azure, 3 bandlets, d' or. Supporters;—Two griffins, d' or. Crest;—The bust of a man wearing a chapeau ornamented with plumes. Seigneurial Coronet.

History:—This is one of the most ancient families of Provence. It traces to Jacques D' Estienne, who in 1267 rendered his accounts as Chatelain of Bouc and Pennes. His son Pierre was confirmed in the title of Chevalier by King Charles II, of Sicily and Jerusalem in 1307.

Denis D' Estienne, a noble of this family, born in 1670, was the first in Canada. He was Lieutenant of Marines, and Major at Montreal with Seigneurial rank. He was son of Denis D' Estienne, King's Councillor at the Parliament of Provence, and his mother was Lady Frances Desvoyer de Clerin. He married at Montreal in 1691 Jeanne, daughter of Judge Gabriel Celles-Duclos

## DE LUSIGNAN

Arms:—Barry of 8 argent and azure in orle. Seigneurial coronet.

History:—One of the most considerable of France, this grand house that has given its name to the town of Lusignan (five leagues from Poitiers) traces to the X Century. It has given sovereigns to Cyprus, Jerusalem and Arminia. In 1872 it was represented by the Comte de Lusignan of Versailles and M. de Lusignan of Blois.

Paul Louis de Lusignan was the first of this family in Canada. He was a Seigneur and commandant of a detachment of Marines, son of Messire Pierre A. de Lusingnan by wife Jeanne Tibaut of La Rochelle, France. He married at Champlain, Canada, in 1689, Jeanne, daughter of Hon. Jacques Baby. He had Paul L. de Lusingnan, Seigneur d' Azmard, born 1691, Chevalier, Lieutenant, etc., who married at Montreal in 1722, Madeleine, daughter of Francis Bouat. Several of the family have occupied in Canada places of distinction in war and literature.

#### PORTAIL DE GEVRON

Arms:—Azure a "portail" d' or transversed by a lance argent. Seigneurial coronet.

History:—This family originally of Languedoc, has given many officers of merit to the army and engineers. Daniel Portail, Seigneur de Gevron in Canada, was the first to cross the sea. His father was Daniel Portail, Sieur de Gevron, perpetual Mayor of St. Florent-Le-Vieil, whose wife was Anne Ginbault of Angers, Anjou, France. His son married at Batiscan, Canada, in 1728, Anne, daughter of Leon J. Langy.



## HISTORICAL VIEWS AND REVIEWS

*Readers of Americana are invited to contribute to this column their views on any topic that comes within the scope of the magazine. Criticism and corrections are welcome.*

Owing to a misunderstanding in regard to the arrangement of the manuscript of "The Scot in New England and the Maritime Provinces," for which the author was in no sense responsible, the material which appears in this number as Part V. "French Attempts at Settlement" was omitted from the last number of *Americana*.

### WADE HAMPTON ON NEGRO COLONIZATION

Mr. Duane Mowry, of Milwaukee, writes:

In a recent volume on the negro question, the author discusses, in a most convincing manner, the race problem, and adduces some interesting and valuable data to show that colonization is the only certain and complete solution of the problem. He is not alone in his contention. President Lincoln adhered to that view. Many of the statesmen of the reconstruction period of our country's history entertained the same idea. Others, of a more recent time, maintain that the negro cannot hope to permanently excel over his white brother; that however reluctant we may be to admit it, admit it we must, that the "problem" will be with us so long as the race is with us.

A letter from the late Senator Wade Hampton, written in 1889, urges colonization as the remedy for the "problem". It was written to the late Senator James R. Doolittle, of Wisconsin, and was not, evidently, intended for publication. Nevertheless, it is the sentiments of an intelligent resident of the South, and is a valuable contribution to the subject. It follows:

"Hampton, Miss., Nov. 12th, 1889. My Dear Sir: I have  
(975)

read, with great interest the speech & the letter you were kind enough to send me, & I concur fully in the views you expressed. I wish that your suggestions had been carried out when they were made, but perhaps it is not yet too late to act on them. You, as a Northern man, can see the danger which threatens the country, by the presence here, of the black race; people unfitted by habit, by education & by nature to assimilate with the white race, but no one but a Southern man can appreciate the extent of that danger. If we hope for success of our institutions; if we wish to escape disasters greater than those inflicted by the war, there is, in my judgment, but one preventive, & that is the removal of the negro from America. This is practicable, & if you will read a work called an 'Appeal to Pharaoh,' I think that you will agree to the conclusions therein stated. I claim to be a great friend of the colored people, & it is in their interests as well as in those of my own race, that I advocate their removal from this country. If the thoughtful & patriotic men of both races can be brought to recognize the necessity of this movement, there will be no difficulty in making it successful. But I only write to thank you for the papers you sent to me & to urge you to use your great influence in helping to solve the most momentous problem ever given to a people for solution. I am, Very Resp'y & truly yrs, Wade Hampton."

It may be added that Judge Doolittle was also a strong advocate of colonization.

#### COOPER'S INDIAN LORE VERIFIED

"Leather-stocking" is verified and Fenimore Cooper is vindicated. Their substantiation comes, through the Census Bureau, from far-away Alaska. This substantiation is found in a report from Chief Census Agent McKenzie telling all about the taking of the census in the Fairbanks district. Mr. McKenzie gives assurance that the Indians do measure time by the "snows" and "suns" and distances by "sleeps." Indeed, he asserts that they have no other standards of time or of measurement, and in relating the fact he cites an instance which throws no little light on the difficulties of enumerating the red men.

"Only the very young children who have been in the government schools," he says, "have any knowledge of their ages or

births, and the agents were instructed to use the age and birth months as nearly as talk and observation would make them seem correct." Time with them is computed by "suns" and "snows," and distances by "sleeps." "Marriages, separations, births, and deaths are all based upon such calculations, and we were obliged to base our information in the same way."

He then gives this instance:

"An Indian buck claimed to have lived '200 snows.' After much talk and use of the sign language it was determined that he was about eighty years old. He was found to have been 'twenty snows' old when he 'got his first woman'; to have kept her 'four snows, when she got away'; that he 'got more woman and keep her five snows, and she die'; that he 'got no woman for twenty snows more,' and finally that he 'got young chicken and keep her all time ever since, now on, twenty-five or thirty snows.' "

#### FRANKLIN AS A SOLDIER

A remarkably fine letter of Benjamin Franklin, written in 1764 to Dr. Fothergill of England, who, at the outbreak of the American Revolution, assisted him to draw up a scheme of reconciliation with the American Colonies, was recently sold in London. Franklin begins his letter by twitting Dr. Fothergill on his "constant warfare against the Plans of Providence," by saving vicious and worthless lives through his medical skill.

He then goes on in a serious strain to discuss the troubles in Philadelphia, the anti-Quaker riots, and the weakness of the Proprietary Government. It will be recalled that during the critical time Franklin bore a musket himself as an example of obedience. He further tells Dr. Franklin:

Within four and twenty hours your old friend was a common soldier, a counsellor, a kind of Dictator, an Ambassador to the country mob. In fine, everything seems in this country, once the Land of Peace and Order, to be running fast into Anarchy and confusion. Our only hopes are that the Crown will see the necessity of taking the Government into its own hands, without which we shall soon have no Government at all. Your civil dissensions at home give us here great concern. But we hope to support a



good Prince in the execution of good Government, and the exercise of his just prerogative against all the attempts of unreasonable faction.

The Prince, to whom Franklin thus refers, was George III who, on the death of George II, in 1760, had succeeded to the throne. The dissensions of which Franklin speaks, were the public's discontent with George III's Minister Bute, whose influence over the King was jeered at in many places. A year after Franklin's letter was written the Stamp Act became a law.

#### OTHER REVOLUTIONARY NOTABILIA

Other letters of interest to American collectors turned up in the sale. One of them was a letter from John Adams, Amsterdam, April 30, 1782, to John Bondfield, in which he says:

It is with pleasure I am able to inform you that the sovereignty of the United States of America has been acknowledged in the most solemn, unanimous, and glorious manner by the bodies of artisans, merchants, citizens, and colleges, by the cities, provinces, States General, Prince and Princess of Orange, &c.

In a letter to Philip Mazzei of Paris, James Madison, writing from New York, Oct. 8, 1788, says:

You ask me why I agreed to the Constitution proposed by the convention at Philadelphia. I answer, because I thought it safe to the liberties of the people, and the best that could be obtained from the jarring interests of States and the miscellaneous opinions of politicians; and because experience has proved that the real danger to America and to liberty lies in the defect of energy and stability in the present establishment of the United States.

In an important letter to Mayor Bailly of Paris, the Marquis de Lafayette, July 23, 1789, says that he was appointed by the confidence of the citizens to the military command of the capital that he will devote himself to the interests of the people till his last breath, but is incapable of buying their favor by yielding to

unjust demands; that the people have not listened to his advice, and that the moment he feels he has not got their confidence he will give up a post in which he can be useful no longer.

In the same collection was a letter of George Washington, dated Alexandria, Aug. 18, 1772, to the Rev. Mrs. Boucher, of Maryland. Washington writes:

Harvest, company, and one thing or another, equally unforeseen and unavoidable, has hitherto prevented Mrs. Washington and myself from paying our respects to Mrs. Boucher and you, but if nothing happens more than we at present know of you may expect to see us the first week in September, perhaps the middle of it.

#### DICKENS ON AMERICAN SLAVERY

Two letters of Charles Dickens, explaining his position on the anti-slavery question, were sold in London in July. One of them, dated Tavistock House, Dec. 20, 1852, after stating that his views on the subject have been much misunderstood, reads in part:

Mrs. Jelleby gives offence merely because the word Africa is unfortunately associated with her wild hobby. No kind of reference to slavery is made or intended in that connection. \*

\* \* It is one of the main vices of this time to ride objects to death through mud and mire, and to have a great deal of talking about them and not a great deal of doing—to neglect private duties associated with no particular excitement.

Dickens thus alludes to his article on Slavery in Household Words:

There is this emphatic conclusion—Americans might so abolish slavery as to produce, with little or no cost—probably with profit to themselves—results incomparably greater than have been attained by England with a vast expenditure of money.

He expresses admiration of Mrs. Stowe's "Uncle Tom's Cabin," but says that he believes the best way of helping the

wretched slaves is not by too fiery a denunciation of the slave owners, who would only be confirmed in their pride and obstinacy.

#### CELEBRATING JOHN BROWN'S DAY

Ex-President Roosevelt went to Osawatomie, Kas., on August 31, to assist in the celebration of John Brown's Day and to dedicate as a park the historic battlefield of Osawatomie where John Brown and his force of the Anti-Slavery League first assembled. In the morning Colonel Roosevelt visited John Brown's old cabin, situated about a mile and a half northeast of the town, and, during the afternoon, the battleground was dedicated as a State park. Seated upon the platform, during the dedication exercises, were five survivors of the battle of Osawatomie.

#### TO PURCHASE THE COLUMBUS HOUSE

A party of Knights of Columbus, together with about two hundred Americans, visited the monument of Columbus at Genoa, Italy, on August 17. Dr. John Buckley of New York, on behalf of the knights, placed a wreath of laurel and palm at the foot of the monument. The party also visited the house where Columbus was born. There is a plan on foot for the purchase of the house by the Knights of Columbus and its transformation into a shrine of international interest. This is the first party of knights to visit the birthplace of the patron of their order.

#### TRINITY CHURCH TRANSFERS HISTORIC LAND

The recording of a conveyance vesting title to the block bounded by Greenwich, Washington, Morton, and Barrow streets, in New York City, to James H. Cruikshank marks the passing of a portion of the original tract obtained by Trinity Corporation through the grant to it made by Queen Anne of England more than two centuries ago. Moreover, the transfer is of interest in that besides being a part of the first land owned by Trinity Church in the United States, it is the largest piece



the church has ever disposed of by sale. Its policy up to a few years ago had been to part with its real estate only under twenty-one-year leases.

The block Mr. Cruikshank has just acquired has upon the Greenwich Street frontage a row of two-story frame buildings with brick fronts, which at one time were fashionable dwellings, but now dilapidated remnants of the type of home construction that prevailed more than a century ago. These landmarks, with their peaked roofs, will soon be but a memory, for plans are about ready for the erection of four eight-story loft buildings.

#### DID WASHINGTON SWEAR?

The oft repeated story of Washington's profanity at the battle of Monmouth is denied in Marion Harland's autobiography on the authority of a Revolutionary veteran, Stirling Smith by name, who was uncle to Marion Harland's grandfather.

"He did not swear," the veteran would thunder when irreverent youngsters retailed the slander in his hearing. "I was close behind him, and I can tell you, sir, we rode fast, when what should we meet running away lickety split from the field of battle with the British almost at their heels but Gen'ral Lee and his men.

"Then, with that, says Gen'ral Washington, speaking out loud and sharp, says he, 'Gen'ral Lee, in God's name what is the meaning of this ill timed prudence?'

"Now, you see, Gen'ral Lee he was mighty high spirited. So he speaks up as haughty as the General had done and says he: 'I know of no one who has more of that most damnable virtue than your Excellency.'

"So you see, young man, it was Gen'ral Lee that swore and not Gen'ral Washington. Don't you ever let me hear that lie again."

#### FRENEAU HEIRLOOMS MISSING

Edward S. Freneau, of Jersey City, N. J., the great-grandson of Philip Freneau, and John T. Robinson, of Elmhurst, Long

Island, has been disappointed in his quest of heirlooms in the home of the late Mary Hammel, granddaughter of the Revolutionary poet, in Walnut street, Winfield, Long Island. Miss Hammel, who died on August 13, had lived the greater part of the period from 1879 till her death in this house.

Among the treasures formerly in the Winfield house, which came to Miss Hammel and her sisters from the estate of Philip Freneau, was his portrait. The absence of the picture and other property from the dwelling throws additional light on a sad feature of Miss Hammel's life. Not long after she went to Winfield with her sisters, Margaret and Katherine, they died, and she fell under the influence of some one who induced her to part with almost all that she owned. It is believed that many of the things which Freneau was looking for were taken away about that time.

None of the antique furniture of the Hammel family was found in the house, nor was there a trace of any of the documents, including manuscripts in the controversy between Washington and Freneau that were thought to have passed into the hands of the Hammel sisters after the death of their father and mother.

#### A GROVER CLEVELAND TOWER

The Cleveland Monument Association, whose purpose is to erect at Princeton "a nation's memorial in perpetuation of the memory of Grover Cleveland," has issued an appeal for funds to complete the \$100,000 required to do its work. The circular through which the appeal is made asks the cooperation of all those who appreciate the "unselfish, patriotic and courageous work of Grover Cleveland." The list of the association's trustees includes many prominent New Jersey citizens of both political parties and men of high standing and varying political beliefs throughout the East, middle West and South.

The trustees say that they "have deemed it eminently fitting that the life and deeds of this great man should be commemorated through the medium of a suitable monument to be erected at Princeton, N. J., where his declining years were passed in a

dignified effort to establish a high standard of citizenship, thus giving the benefit of his wide experience and ripe thought to growing generations."

The adopted plan of the memorial monument is a lofty tower to be erected in connection with the proposed graduate school of Princeton University and located on what is known as the golf links, a site commanding a wide sweep of country, from which the tower will be distinctly visible.

#### VIRGINIA IN 1584-1624

A copy of the first edition of "The Generall Historie of Virginia, New England, and the Summer Isles, with the Names of the Adventurers, Planters, and Governours, from their first beginning, anno 1584, to this present 1624," by Capt. John Smith, brought \$240 at Sotheby's in London recently. It is a small folio, published in London in 1624, and is in binding by F. Bedford. It has the fine original engraved title by John Barra, containing portraits of Queen Elizabeth, King James, and Prince Charles, coat of arms, etc.; original maps by William Hole; "Ould Virginia," with compartments of events in Capt. Smith's life; "The Summer Ils," (sic.) with parts in compartments, and New England, with portrait of Smith by S. Pass. The book is slightly defective, wanting the portrait of the Duchess of Richmond.

#### AN OLD PENNSYLVANIA TAVERN

The old Stone House at the junction of the Franklin and Pittsburg pike with the Erie and Pittsburg pike is one of the noted historic spots in Butler county. Half a century ago the great stage coaches over these noted highways put up at the Stone House for the night. Buckwheat cakes, honey, country ham, sausage, Indian mush, doughnuts, roasted potatoes and mince and custard pies formed the larger part of the menu at this noted hostelry.

The building was erected in 1819 and is still occupied. It stands at the cross-roads and is surrounded almost entirely by a dense forest. It was the first house built possibly, on a thousand acre



tract of land taken up by the McClure family and is still in their name.

There are many wild and weird stories connected with the famous house which the old people in the neighborhood tell, but they lack the element which make them true history. However, it is not too much to say that previous to the civil war strangers were known to enter the old Stone House who were never again seen. These were in the days of counterfeiters, stage coach travel, open gambling and open barrooms.

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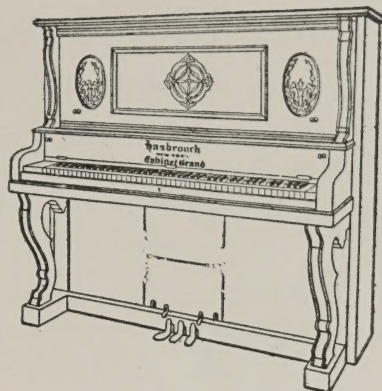
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